

Here he

getteth a ryght featefull
matte. and hath to name
the boke of Surueynges
improvementes.

The. Barthelee to the readers of this booke
Rade this booke, with other of husbandry
 And ye shall finde them very profitable
 Good behoufull, and muche necessary
 To my mynde they be ryght commendable
 It is nat a icste, a tale. nor a fable,
 It is such a mater (ye may beleue me)
 As noble clerkes wrote in old antiquyte
The worthy Caton. that excellent romane
 Columella Varro, and Virgilius
 Of husbandrye to wryte. And in no dysdaine
 For many other eloquent and famous
 Thought it nat a thinge to glorye
 Such mater to wryte. wherby they might auide
 The comen welthe, and theyr conkerer enhance.
But in our dayes, some are blynde
 That they count husbandry but a thinge to despise
 Some leaue wyte of loue, for laboure
 And a good matter to turne. For
 Forth, as sure and pryde, do they. As
 That stork wandereth aboute in suet way
 And good busynes falling in decay.
Yet neuerthelesse, good is houte to call agayne
 In welthy dyspense, men to exerce
 This worthy man nobly hath done his parte
 I meane hym, that the sayd booke byd deuyse
 He sheweth to husbannes, in ryght fruteful wyse
 The many folbe good thynges, in bryfe sentences
 Which he hath prouyd, by longe experyence
And thus I leaue him, in his good wyl & mynde
 That he beareth vnto the publyke weale
 Wolde god nobler. And in theyr hartes find
 After such fourme. A comon helthe deale
 It is a true token. And zeale
 When he so deliue. And zeale
 By his busy la. And zeale

The table of thys booke.



Yst the prologue of the Trecoure
for the declaracion of thys pres-
ent treatise. Fol. 1.

¶ Of Castellies and other build-
ynges, what the walles, the ym-
bryce, the stowe, the leade, the late, the
tyle, or other of couerages. is
worthe by the yere, as well wpyth

in the walles as wythout.

And also the gardenes, the orchardes, douchouses
and all other profytable by the yere.

Capit. i.

Fol. 3

¶ How many felowes are of the demayns, and
how many acres are in every felde, and what an
acre is worthe by the yere. Capit. ii.

Fol. 4.

¶ How many acres of medowe are of the de-
maynes, and how much every acre is worthe by the yere, and
to what maner of cattell it is moste conuenient vnto
to and how many beastes it wyl fynde, and what
the pasture of the beastes is worthe by the yere

Capit. iii.

Fol. 5.

¶ Of forrayne pastures that be common, howe
many and of what maner of cattell the lord may
haue in the same, and what the pasture of a beaste
is worthe by the yere. Capit. iiii.

Fol. 6.

¶ Of parkes and demayne woodes, the which
the lord may asseste and to do his profyte, and
how many acres the contayne, and what the ves-
ture of an acre is worthe by the yere, and what the gound
is worthe whan the wood is fallen.

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Fol. 7.

¶ Of forreyne woodes where other men haue com-
mon.

Fol. 8.

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men whether the lord maye improue hym self ther
of, and howe manye acres, and what the besture
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whan the woode is fallen, and how manye acres
they contayne, and what an acre is worth by the
pere. Capit. vi. fo. cod

¶ Of foure maner of commons. fo. 8.

¶ Whether the lord maye greeue or all the respy
due of the foreyne wodes, and what suche gyfte
or sale is worthe. Capit. vii fo.

¶ Of panage and herbage of the towne, and or
all other paryshes, or poodes and waten and connyng
water: of moors, herbes, and waster, what
they be worthe by the pere. fo. 10.

¶ Of wodes feutrell and g. and common
fyschynge, what they be worthe by the pere.

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¶ Of fre tenement, the w. well wythout ag
well. Capit. x. fo. 12

¶ Of free tenantes and what lande arde
tenemen. 3, and by what they holde, a
what seruyce, whether by socage or by knyghtes
seruyce or other maner, and what rente of tithie
they gyue, and what they holdeth by charter
and who by aucthorite demeyne, and who by
franchise. n. xi.

¶ Of landes hold by the garde. fo. 6.

¶ How he shal deluyver season, fo. 10

¶ Of the maner of the tenantes othe. fol. 10

¶ How the crosse shulde be made of landes holden
by the garde. fo. cod.

¶ Whether fourme socage or rente fo. 17

¶ Of recognycion of a ten. fo. eudem

¶ Of recognycion of a ten. fo. eudem

¶ Of recognycion of a ten. fo. eudem

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How to make a hope that is worth
that is worth. Capit. xli. Fo. 50.

The

¶ The Authour.

O thou lytell queene with due reuerence
 And with an humble herte, recomend me
 To all those, that of theyr benyvolence
 This lytell treatyse, doth rede here or se
 Wherewith I pray them, contented to be
 And to amende it, in places behouable
 Where as I haue fauted or be culpable

¶ For harde it is, a man to attayne
 To make a thyng perfect, at the first syghe
 But whan it is red, and well ouer seene
 Fautes may be founde, that nei er came to lyght
 Though the maker doo with plye zeale and myght
 Prapenge them to take, as I haue entended
 And to forgyue me, as I haue confessed.

FINIS.



The prologue,

The Prologue of the Aue

thour, to the declaracion of this present
treatyse.



Solomon sapientie primo.

Omnia sapientia, virtus, honor,
dignitas, et quæque scientia, a domino

DEO sunt. That is to say of wise
dome, vertue, Honour, dignite
and conynge, are of oure Lozde

God. Than saye the almyghy god, our Rede
mer, and Creatoure. By hye the wisdom, goodnes
beraltee, & prouidence. this transpore world
and myserable lyfe: hat ordayned dyuers estates
and degrees, in his people and creaours, & some
of theym as well hath endowed wth geowse and
cunty wysedome, and distyncte graces, a lth
reat honour, possessions, and ryches, with grea
fftes and graces, as well spiritual as temporal.
ys hye commaundemente chargeth euery pers
one that is partakers of the sayde ryches or gra
s charytable and discretely, the same to distre
ute and deuide amonge his poore creatures.

That euery poore person, that is wyllynge to sa
pure duely for hye luyng, may haue thereby con
nyent helpe and sustinaunge. And in as maner
the grea Estates, rulers, and gouernours of
his Realme, whome our sauyour hath so largely
ad bounteously rewarded, wthall suche giffes,
possessions, and ryches: be accordynge to hys
leasure and commaundement, demysed, distre
uted, and graunted to the creatures of god, and
theyr fermyll and tenautes, theyr seuerall

The prologue.

possessions and inheritaunces, reseruing to themselves
 for the same certayne rentes, customes, and seruices,
 to susteine and vpholde thei honours and
 estates, as to them appertayneth, accordynge to
 thei hygh gyftes and graces, wherewith they be
 so largely endowed. And for the great zeale, longue
 and comforte that I beare to the sayde fermours
 and tenants, and to all other Goddes creatur-
 es, that they maye more surely, casely, and profy-
 tably increasse and sustayne thei poore household
 wyues and chyldren, and also truly to paye thei
 rentes, customes, and seruices, vnto thei Lordes
 and the honours of thei fermes and tenants.
 Of late by experyence, I contrpyued, compyled, and
 made a treatyse for the same poore fermers, and ten-
 nantes, and called it the booke of Husbandry, the
 whiche me semed was very necessary for husband-
 men, and for manye other of dyuer ha-
 ber and occuacions. And where, as in the
 prologue of the sayde booke, I demaund and aske
 a questyon, and that was this, wherunto is euery
 man ordeyned as playnly it doth appere in the
 prologue of the same? In lyke maner in the prologue
 of this second booke, I entende by the suffi-
 rance and grace of our lord Iesu, to contrpyue, com-
 pyle, and make the profyte of all noble men and
 women, both ciuill and temporal. I demaunde agayne
 other questyon, and that is this, How, and by what
 manner do all these greates estates and noble men
 and women liue, and maynteyne thei honoure and
 and in myne oppynion, thei honoure and degre
 vpholden and maynteyne by reaso of thei reueren-
 ces, reuerences, and that cometh of thei may-
 ners, lordshippes, and tenements to them be-
 longynge

The prologue.

In the first place. Than it is necessary to be knowe how
 by all these maners, lordshippes, landes or tenemen-
 shippes shulde be extended, sarueyd, buttred, bounde
 and valued in euery parte, that the sayde estates
 shuld not be deceyued, defrauded, nor byther
 wronged of theyr possessions, rentes, custumes, & seruy-
 ces, by which they haue to them reserved, for meyn-
 tynance of theyr estate and degrees, and that
 there be no percell therof loste nor imbecyphed, and
 holman may the Lord of the sayde maners, Lordes
 theyr shippes, landes and tenementes, haue perfyte
 knowledge where to theyr lyet, what euery pee-
 cysell is worthe, and what the freholders, copyhold-
 ers, costowarpe tenants, or tenants at his wyll
 and what rentes, custumes, and seruyce he ought
 to haue of them, with any mo articles, as here
 after shalbe shewed. Therefore it is necessarye
 that euery great lord, with menne and women
 that worshipp, that haue great possessions of lan-
 des, and tenementes, shuld haue a Surueyour,
 that can extende, but, and bounde, and value them.
 And therfore to make a booke of parchement, be-
 gynnynge a certayne date, after the maner and forme
 as I shall make an in-rollynge, and to amende it
 wher he someth cometh. *Int. Quod facillius est
 addere quae de nouo facere.* That is to saye. It is
 easier to adde, reforme and correcte the sayd
 booke, than to make we & perfyte. And the Surueyour
 maye the sayde booke made by hym, with his le-
 gal grener of a register wherunto to the same
 register another officer may alway haue resorte, whan
 he shal require to loke vpon. And the booke so made
 maye be a register and inrollynge of the lord, his
 tenants, copy holders, and others. And shal neuer
 losse

the prologue.

of the rentes, customes, noz seruyces, but
 a booke that shal teach the booke, shall perfectly
 shew where the landes lye, whose it was at the
 making of the sayd booke, and whos
 it is now. And if the owner make a true ple, degra
 de, or by descent, by descent or by purchase, vnto the
 landes, they shal be his. And specially, if the
 name of the lordes & tenants that occupy, myght
 be remembred once in forty or threescore yeres. For
 than it shal be his as a perpetual and sure euidence
 for euer, to put a man of himselfe and barpaunce by
 a wene lord and lord, lord and tenants, tenants
 and tenants, in a wene lord and lord, and peace. But
 of one thing I shal pounce and declare, and take
 god to my reuerend, that I make this booke (all on
 my selfe) to the end that the lordes, the freholders no
 theyr heires shuld not be decepte, noz haue theyr
 landes lost nor imbeuilde, nor encroched by one
 from another, and to none other entente.
 And for that I aduertise and exhort, on Goddes
 behalfe, all maner of personnes, as well lordes as
 other. That whan the lordes or freholders know
 where theyr landes lye, and what euerye pastur
 or parcell is worth by the yere. That the lordes
 noz the owners thereof, do nat highten theyr re
 tes of theyr tenants, or to cause theym to pay
 more rente or a greater fyne, than they haue ben
 accustred to do in tyme past. For as me semeth
 a greater charyte noz almes bede a man maye re
 well do, than vpon his owne tenants. And also
 to the contrarye, a greater hybory noz excoyde
 a man can nat do, than vpon his owne tenants.
 for they haue nat for reue, noz for complayne, no
 therfore on this booke, I shal write, and
 on myne. And aduertise the lordes, and the freholders.

The prologue,

3

es, what his dede, it was his Duruepours, but thae
 syteljan nat be so, for saynt Augustyne sayth, Qui per
 at thiliu facit per se ipsum facere videtur, That is
 whoso saye, he that commaundeth another man to do
 degre thynge, he doth it hym selfe. And there be two
 into thynnespalles in one acte doinge, and also he saith
 if the Consencientes et agentes pari pena puniantur.
 myghte Charis to saye, the consentours and the doers,
 For albe lye punished. I gramer shole I lears
 idenied a verse and that is this. Dum possis quid
 ce byis, possis cognoscere quid sis. That is to say
 man whan thou mayst do what thou wilt, thou maist
 knowe what thou arte. That is to wete, good or
 bad tak supll. But for a grounde of this treatyse, the
 whych I do note, I call it þ boke of Dur
 ueyinge, and of improuementes. I do
 take an olde Statute named Ec
 scota manerii, as a principall
 grounde therof: as
 hereafter ens
 sueth.



20 Of castels and other buyldynges

what the walles, tymbre, stone, leade, selate, tyll
or other of couerynge is worthe, aswel within
walles, as without. And also of gardens,
curtylages, douehouses, and al other
profytes be worthe by the yere. &c.

Chapitulo primo.



Inquirendum est de castris, et
etiam aliis edificiis fossatis, cir-
cundatis quantum n. et edifi-
cia ligna et lapides, plumbum
et alio modo copertura valent,
pro quanto appreciari poterunt
secundum verum valorum eorum
dem murozum et edificiorum. Et quantum edifi-
cia extra fossatis appreciari possunt, et quantum
be. cum gardanis, curtylagis, columbar-
ecum. is aliis, eritibus curie per annum.
That is to saye in englyshe. It is to be enque-
red of castelles, and also of other buyldynges be-
ched about, what y walles, the buyldynges, tym-
bre stone, leade, and other maner of couerynge
worthe. And howe they maye be solde, after the
very value of the y same wallis & buyldyng. And
howe muche this upldyng wytheute the dytel
maye solde for, and what they be worthe, with
the gardens, curtylages, douehouses, and all
of the court by the yere. To the decla-
ration and constructyon of this statute (in whiche
meth there ought to be made a dyscrecion) for the
statute goeth generally, De castris & aliis edificiis
fossatis et circumdatis & extra fossatis. These wo-
des go as well to those castels & other buyldynges

that be well vpholde and inhabyted, as well as of
those that be fallen in decay, & nat inhabyted, and
to those that be inhabyted. It is nat necessary to
be extended noz valued in any parcell. for let a mā
make a castell, towre, oz anye maner of new build-
ynges, fynyfhe it clerely, yf he shulde go take it
downe & sel euery thyng by it self agayne, he shuld
lose the moze halfe of his money. And therfore in
myne opinyon, this statute was made sonne after
the barones warre, the whyche ended at the cas-
tyle of Euesham oz soone after, in the tyme of
Kynge Henry the thyrde, where as many noble
men of blode were slayne, and manye fledde, that
afterwarde were attaynted for the treason they did
to the kynge. And by reason therof, their castles
and maners was seased into the kynges handes,
And so for wante of reparacyons, the castles and
maners fell to ruine and in decay. And whan the
Kynge and his counsaile sawe that, they thoughte
it was better to extende them and make more
profyte that they coulde of them, than to let them
to fall vnto the grounde, and come to no mannes
helpe and profyte. Wherefore kynge Edward the
fyrste ordeyned this statute to be made the fourth
yere of his raigne, wherein is contayned manye
and dyuers Chappiters and artycles, the whyche
at that tyme were but instructyons, howe & what
they shuld do that were commysioners of suruer-
ours in the same. fynyfhe it is most necessarye and
conuenient to retayle and to sell euery thyng by
it selfe, and nat all ingroße, some to one man, and
some to another. For that that is good for one
man is nat good for another, & euery thyng to be
prayed and solde by it selfe, that is to saye. The

Dyngyng.

Howe wall of one house by it selfe, the tymbre of
the same house by it selfe, the coueryng by it selfe
the tyle, flate, or leade by it selfe, the glasse by
it selfe, the yron ware, as barres, bandes, hokes, li-
nes, staples, or latches, and all suche other by the
it selfe, dooxes, wyndowes, bozdes & all other thyng-
es by them selfe, and to go from house to house
and sell euery thyng by it selfe, and then shall the
true value be best knownen. And it is couuenient
that these thynges be offered to be solde to dyuerse
men, and to few who wyll geue moode, and specyally
to sell when men desyre to bye. Also to value
what the grasse of the gardeyns, curtalages, cole-
tes, and house places, that be within the diche
withouth, be worthe by the yere. A curtylage is
lytle crofte or courtie, or place of easement to go
in cattell for a tyme, or to go in woode, cole,
tymbre, or such other thynges necessary for house-
holde. And to value the profyte of the householde
yf any be there, yf it be replenyshed wth house-
holdes.

Howe manye feldees are of the demeynes, and
how many acres are in euery felde, and
what an acre is worth by the

yere. *re. Capitula*

secundo.

Item inquirendum est, quot capituli sunt in domo
dominico, et quot acre sunt in capto, et quantum valent
quolibet acre per se per annum. It is to be inquired,
howe manye feldees are of the demeynes, and
howe manye acres are in euery felde, and what
euery acre is worthe by the yere. This is a lyght
letter and needeth but lytle declaracion, for by
thes word, quot capituli sunt in dominico.
muste netes be taken of feldees that be in tyllage.

umber of plowynge, but it woulde be vnderstande, whe-
 yther the dameyne landes lye in the common felde
 or amonge other mennes landes, or in the felde by
 themselves. And yf they lye in the common felde,
 by this is conueniente that they be plowed and sowed
 the third than is nat an acre so muche worth as and it
 is howe in seueralltye inclosed, or in seuerall pasture.
 shall it for and the felde be inclosed aboute, than it is at
 the lordes pleasure, whether they shall lye to pa-
 dycture or to tyllage, and though it lye in tyllage,
 the lord hath the lord the Edyshe, and after make
 to valym selfe for his owne care. And therfore an acres
 is. col at the moze value, and yf it lye in pasture, the
 ches pasture maye be such, that it is at double or tre-
 ble the value of creable lande, wherfore the acres
 to pte to be payed acco. ge, and yf they lye by
 cole, great flates or furion. In the comon felde, it
 maye at the lordes pleasure to enclose them, and kepe
 them in tyllage or pasture, so that none other men
 shoulde comynge therin.

Howe manye acres of medowe are of dameyne
 and howe muche currey acre is worthe, & to what
 maner of catell it is mozte neede arpe vnto, and
 howe many bestes it wyll bode, & what
 the pasture of a best is worth by
 the pere. Capi.

Tem inquirendum est, quot acres pati sunt in do-
 s, an. minico, et quantum quilibet acre valet ad lo-
 wandum per se per annum, & ad cuiusmodi bestias
 animalia pastura illa fuerit magis necessaria
 & quot et quales possit sustinere, et quantum va-
 pastura cuiuslibet bestie et animalis ad locan-
 yllagum per annum.

Surcepinge.

It is to be enquired, howe many acres of medow
are of the demerces, and howe much euery ac
is worthe to set bi the yere, and to what maner
beastes oz cattell it is moſte neceſſarye vnto, an
howe many it wyll fende, and of what maner, an
what the pasture of one beaſt is worthe bi the ye
And ſurmyne oppynion, it woulde be vnderſtan
whether the medowes oz pastures lye in comm
medowes oz common pasture, at large oz in ſeu
raltye, For and it lye at large in the common m
dowes, an acre is worth more than the graſſe
that the havyng wyll be worth, for after ſe
common and ſeueral value. And yf it lye in ſeu
tye, it is worth halfe as much agayne as the gr
was worthe. And that hyghe grounde and dry
moſt conuenient for ſuche wode grounde, & buſh
for beaſtes, and ſpecially in wynter tyme. For
grounde, & medow, & groundes, and many ſhe gr
des for they, and after for fatte cattell, and in wy
ter for heſſes and mares, and meane grounde
that is bothe dry and dalye, as leſſe and loſe
grounde, is good for all maner of cattell yf the
graffe be good and fyne, and ſpecially for fatte
tell oz fatte ſhepe, horſes, mares, and yonge colts
for that graſſe that one maner of cattell wyl n
eate, another wyl. And therfore it is good to ha
a large cloſt, that druces maner of cattell maye
to yther in it to knowe what a beaſtes graſſe
is worthe by the yere, that is as the pasture
that he gothe in is worthe, and nat ouer charge
wyth cattell, as the ſynceſſe of the graſſe, and
goodneſſe of an acre. For ſome acre of a ground
nat worthe a peny by the yere, and ſome acre
worthe xl. peny and ſo a beaſtes graſſe maye

re ynoughe twelue pence in the pere, and it may
 worthe xl. d. of .v. myllinges, and a horse gras
 a mares grasse, maye be derte ynoughe twelue
 pence of twenty pence by the pere, and it may be
 of the fyue myllinges of a noble, accordynge to
 the goodnesse of the pastures. But nowe these ma
 res, landes, medowes, and pastures shalbe view
 ed, buttred, bounde, and valued, shall be reherced,
 after the statute be ones declared.

Of forren pastures that be common, howe ma
 ny and of what maner of ca. the Lorde maye
 haue in the same, and what the pasture of a beaste
 worthe by the pere.

Item ingreditur in pasturis forinsicis que
 sunt communes, que uas bestias et animalia
 his habere possunt, item, & quantum ualeat pastus
 per annum ad locandum. It is to be enquired of for
 en pastures that is common, how many and what
 castles and catell, and what the lord may haue i
 n the same, & what pasture of a beast is worth by
 the pere to set.

This is a derke letter to be well v
 n derstande without a better declaracyon, for wher
 atte sayth. De pasturis forinsicis qui est comunis.

That may be vnderstande thre wayes, for ther is
 many townes, where as their closes & pastures
 haue in seueralte, there is commonly a common close

aken in, out of the commē of felde by laundes
 of the same towne, for their oxen & hye. ther ca
 all, in the whiche close every one is need and

to a certeyne, howe many beastes they
 and the same end of what maner beastes they
 shalbe. And yf the lord that haue anye castell ther

acres, he shulde be put to a certeynte, & of what ma
 ny of catell, and this pasture may be well valued
 And

And also the Beeres grasse, what it is worthe
 therein. But than it ought to be shewed, howe ma-
 ny acres be cōteynerd in the sayde pasture, and
 what euery acre is worthe, one with another, and
 other maner of common pasture, is moost com-
 monly in playne champyon countreys, where the
 cattell gothe darly befoze the herdemen, and ly-
 nynghe adioynynge to their common feldees, and
 may lye in two or thre places or mo. And in the
 it is also cōuenient, that euery man be stinted
 a certeyntie, other by yerdes, landes, or gages, re-
 ses or suche other cōsumes, as the tenants v-
 and the lord in this maner. These comen past-
 res may be extended how many acres be in euery
 parcell by it selfe, and how much it is worthe by
 it selfe, but it can nat be knownen, what
 beestes grasse is worthe by it selfe, for they lye moost
 commonly wth the fallowes, and some fallowes
 feldees be better than some, and so a beeste
 grasse may be better or worse. The thyrde maner
 of comen pasture, is in the lord outwodes that
 lye in common to his tenants, as commē mores
 or hethes, the whyche were neuer creable landes.
 In these maner of commons, me semeth the lord
 shoulde not be stynted nor set at no certeyntie, but
 put his cattell, vpon suche maner comen pas-
 ture at his pleasure, because all the whole com-
 mon is his owne, and his tenants haue no cer-
 teyne cellen of sayde to thei holdynges, but
 all ouerly by the mouth wth their cattell, and
 were agayne reason to a bydder a mā of his owne
 right. But his tenants and euery mannes ten-
 nances, me semeth ought of right to be stynted
 what euery man ought to haue, goynge vpon a
 maner

anner of commens for the men in
the begynnyng of **Somer** by theyr and other ma-
ner of cattell, and cutt the commens, and sell the
gayne at wynter, or put them in their pastures
that they haue left at the **Somer**, and so ouer-
passe the poore men, that haue no money to bye
or able to raise.

Of pasture and demesne meadow, and which the
 other was a waste and to do his duty, and how
 many acres they containe, and how much of
 an acre is worth, and what the ground is
 worth, and what the ground is fallen, &c.

Item Inquestum est, de parcia et hominibus
boscos, qui ad voluntatem suam possunt affert
et excolere et quot acris in se continent
antum vestura eundem acris possit ap
quantum fundus in se continet et per
e exstratus fuerit, et quod intencio sit ad quod libe
ra per se per annum. Et de enquerens of
markes and of demeyne woodes, the whyche at p
ordres wyl may be afferted and plucked by oꝝ sal
en downe, and howe many acris are conteyned
in them, and for howe muche the vesture of euer
acres maye be solde, and howe muche the ground
in self conteyneth, whan the wode is fallen, and
howe muche euerie acris is worthe by pꝝ sale by the
etc. This to be vnderstande, of parkes and
demeyne woodes, that be in feoffment, whercof
the lord at his pleasure, maye afferte, toke vp by
the rootes, oꝝ sale by the earth, plowe and sow re
hye

And howe many acres of woode are conteyned in the same. For in every parche of woode maye be two hundred acres and moze, and yet nat passe an hundred acres therin woode, lytel moze or lytel lesse, and what the besture (that is to saye) the woode of euery acre is worthe by hym selfe, for one Acre maye be worthe .xx. s. or .xl. s. and another acre dere ynoche less. s. vi. or .x. s. and howe much the hole grouse is worthe when the woode is fallen.

And that is to be considered, all the ground, wpythin a pale or by, as well the lande ground as of y woode ground, where the woodes growe, and what every acre is worthe by the peece, as well of the one maner as of the other.

¶ Of forren woodes where other men have comen, where the lord may improve hymselfe the more of and of howe many acres, and what the besture of every acre is worthe, & what the ground is worthe when the woode is fallen, and howe many acres they containe, and what an acre is worthe. Capit. vi.

Inquirendum est, de boscis forinsicis ubi sunt communis, quid de eisdem boscis dominus possit appetere. Et de quot acris et pro quanto bestura cuiuslibet necesse communiter possit appetari, et quantum fundus valet postquam proventus fuerit boscus, & quot acris iste contineat, quod si quislibet acris valet per annum. It is to be considered of forren woodes where they & other comen to geve, & what of those woodes the Lord may improve hym selfe, and of howe many acres, and for howe much the besture, that is to saye, the woode of euery acre maye be sale, and howe much

any the the grounde is worthe at or the woodde be
of inen downe, and howe many acres it containeth
s and what every acre is worthe by the yere. The
therclarayon of this statute is doubtfull, bycause
e the none certayne therof, what is sufficient com
crem, for it is clerely ordayned by the Statute of
ye Herton, and after confirmed by the Statute of
enoyestmynter. ii. That the lord shal improue him
groafe of theyr wastes, wherby is vnderstande of
eyr common moores, heathes, and waste grouns
dunp, as well as of woodes. Though the Statute
dunpke but of woodes onely leynge theyr tenauns
rowe sufficient common, the whiche in myne opiny
te, be those tenauntes that haue common appen
tunce, and holde theyr landes of hym. It is nes
comlarpe to be knowen what is sufficient of com
tuen, and that me semeth by reason shoulde be thus
stuo to see howe muche catell the hey and the strawe
woiat an husbands getteth vppon his owne tene
asent, wyl fynde sufficiently in winter, yf they ly
house, and be kepte therewyth all the wynter
ason for so muche catell shoulde he haue common
s by Homer, and that is sufficient. Ye shall vnder
omande that there be foure maner of comens, that
pro to witte, common appendant, common appurte
o mount, common in grose, & common per cause de vi
pionage. s. neyghbourshipp. Commē appendant, is
at, where a Lord of olde tyme hath graunted to a
to hau a mesplace. & certayne lādes medowes, and
er cultures wryth theyr appurtenaunces to holde of
oldm. To this mesplace, landes, and medowes be
ceinggeth comen, and that is called comen appēdāe
s but and a man graunte to another certayne lan
owes of pastures, & whiche lie in seueralte, enclosed
wryth.

which y appertenance is free, to hold of the the
 Lordes, to the landes me semeth belongeth
 comen wpythoute he haue suche speccall word
 in his dede. Comen appurtenaunce, is where
 man hath had comen to a certayne nombze
 beestes, or wpythout nombze, belongynz to hys me
 place in the Lordes wastes, this is comen a
 purtenaunce by p[re]scripcion, bycause of the
 out of tyme of mynde. Comen in grose, is whe
 the Lord hath graunted by hys dede. comen
 pasture to a straunger, that holdeth no landes
 hym, nor ought to haue any comen, but by reason
 of that graunte by dede. Nowe the lord may not
 improue hym selfe of any parcell, for it is contra
 ry to hys graunte, though there be sufficient
 comen. And in lyke case yf the lord graunte co
 men to a man by dede, and to lympette hym a cer
 tayne nombze of beestes, se what was comen
 that tyme, and of that the lord shall nat improue
 hym selfe, for and he shoulde, the goodnesse of the
 comen to that certayne nombze shulde be abysed
 ged, that they shulde nat fare so well, and euery
 mannes dede shalbe taken strongest agaynst hy
 selfe. And in lyke maner yf the lord graunt a
 comen with his cattell, wpythin certayne meyzes
 limytes, and bondes, the lord shal nat improue
 hym selfe, wpythin those meyzes and boundes. Co
 men per cause de bycynage, is where the waste
 grounde of two Towneshyppes lye togyther
 and nother hedge nor pale bytweene to kepe they
 cattell a sonder, so that the cattell of one Town
 shyppe goeth ouer hys meze or bounde into the
 waste grounde of the other towne, and yf he wil
 the cattell of the other towneshypp to them. In

of theyr commen felde is to gether enclosed
 open tyme whan haruest is in, theyr catell wyll
 out of one felde into the other felde, and they
 called commens, bycause of neryghbourshipp and
 that vsed not lawfull to pinne theyr catell so go
 ge, but in good maner to dyue and chase beside
 the commen. And as for that maner of commens
 semethe the Lorde maye proue hym self of theire
 the groundes, leaupnge theyr owne ternautes
 poyent commen, haupnge no regarde to the
 autes, of the other towne shyp. But as
 all carable landes medowes, leyse & pastures,
 Lordes maye improue them selfe by course of
 commen law for the statute speaketh nothyng
 of waste groundes, and ye shall vnderstande,
 howe be it that a Lorde maye nat improue,
 selfe of hys waste groundes, yet maye he laws
 y sell and sell all the wode, brome, gozse, fyres,
 hen, ferns, bushes, thornes, and such other, as
 stone, lyme stone, chalke, turues, claye, sande,
 e, oze, or tynne, to hys owne vse, for the tena
 maye haue nothyng by reason of commen, but
 nely bytte of mouth wylth theyr catell. And ye
 knowe that swyne and gees haue no commē
 by sufferance, without speciall wordes in
 charter. Also the Lorde shall haue his free
 ren, for al maner beastes and foules, of warrē
 ys waste groundes, as well as in seuerall
 andes, and as longe as the beastes or foules
 barren be vpon the lordes ground, they be the
 es yf he haue barren and the lorde maye haue
 cepon of drecas agaynst any man, that cha
 or killeth any of them in his commen, as well
 in his seuerall, And yf they go or flye out of the

4. Chapter.

lordes warren, than is the propertye changed
the lordes hath lost his accyon for takinge of
whan they be out of his warren, withoute
come into his warren agayne, there is no
hathe warren but by speciall graunt of the kinge
by charter, except it haue bene vsed in tyme of
mynd, and allowed before Justices of Eyre.
as for the articles conteyned in this present
piter the letter therof is playne enough. And
touchyng before.

Whether the lord may geue or sell the re-
due of his foreyn woodes, and what such
gyftes or sale is worth by the yere.

ii. Capitulo. vii.

Item inquirendum est, virum dominus de
duo boscozum predictorum forisficorum,
possit et quantum valet talis donatio, vel
ratio per annum. It is also to be enquired,
whether the Lord may geue or sell the residue of
foreyn woodes asforesayde, and what such
or sale is worth by the yere. This letter is plaine
enough, and as me semeth no doubte but that
Lord may geue or sell the residue of the
woodes or wastes. Except that a man haue
men of Estovers. But what the gyfte or sale
is worth, it is to be vnderstand and knowen, as
me semeth the doner or the byoure, shalbe in
case, as the lord shalde haue bene, yf he haue
gyuen it nor sold it. Than the lord hath wa-
red hym selfe of as muche wood as he may
he can lawfully, and whan he hath gyuen or
the residue of that, he can not improve
selfe of it. In lyke maner the doner and the
can nat improve them selfe of any parte thereof.

ged, or they can nat be in no better case, than he of
 of home they had it. Howe be it that they that of
 ute ghe ought to haue theyr commens be nat theyr
 no nantes, but theyr tpeell and interest grewe by
 ne herytaunce, longe tyme befoze the gyfte or sale
 ne oade by the lozde. And it foloweth by reason that
 ire. e gyfte or sale of a straunger, shall nat hurte an
 ente her mannes inherytaunce. But thys donce, or
 And is purchasoure, shall take to theyr profyte all
 it besture standyng vpon, or beyng within the
 ne reade grounde, as woodes and sache other, as is
 suchyde befoze in the nexte chapitre.

e. Of panage and herbage of the Towne, and
 all other profytes of pooles, meynes, and fons
 as de nnyng waters, of Moores, Hethes, and
 um, wastes, what they be worth by
 all v the pere &c. Capit. viii.

red. Tem Inquirendum est de panagio & herbagio
 oue & ville, et omnebas alie exitibus bluariorum mo
 he seu buccu & vastorum quantu valent per annu.
 is p Also it is to be enquired, of panage & herbage
 et the same towne, and of all other profytes of
 the oles, meynes, and nnyng waters, of Moores,
 hauches and wastes, what they be worthe by the
 e or se. And where this statute speaketh, de pa
 en, agio, that is to be vnderstande, whan there is
 be in masse growyng in the lozdes woodes, whers
 he hennues swyne maye be fedde, and releued,
 ath wat profyte that may be to the lozde. For there
 walso maye the dayme of ryghte to haue the
 on oyle, el whi a fruyte, but the lozde, excepte
 proufre manne haue it by speciall wordes in hys
 the l. Quid sit quietus de panagio. And the lozde
 e theyll haue it in his sozren oute wodes, as wel as

Demeyninge.

in his parkes or feuerall wodes, and as the c
 epte of the moſte is, ſo the lordes harbre of r
 ought to laye mennes ſwyne therunto from
 helmas to Martelmas, and to make a trea
 compte therof at the lordes audyte, what he
 keth for euery ſwyne. And in manie places th
 nauntes go fro panage in the four en wodes t
 ſtome, & that is moſte comenly where as the t
 tes paye tackes wyne by cuſtome, yf ye haue
 certayne nombze, or els to paye pyrcelpe at M
 helmas. i. d. or an halfe peny for euery ſwyne
 the cuſtome is vſed. The ſtatute ſpeaketh, De
 bagia ville. This is to be vnderſtand, of the
 men paſture that belongeth to the towne, w
 upon the herdeman kepethe the tennauntes ca
 It maye be ſo good, that the tennauntes ned
 to haue any ſeuerall paſture, but that they
 men paſture ſhulde be able to fynde all they
 tell, both hoxſes, inares, beaſtes and ſhepe, a
 it was of olde tyme that all the landes, medo
 and paſtures, laye open and enclosed. And
 was theyz tenementes muche better chepe
 they be now, for the moſt part of the lordes
 closed theyz demeyne landes and medowes
 heve them in ſeueraltye ſo that theyz tenan
 haue no common with them therein. And al
 lordes haue enclosed a greate parte of theyz
 groundes and ſtreptened theyz tennauntes of
 commons therein, and alſo haue cōpyn ſpē
 dyers of theyz tennauntes to buye ſome part of
 carable landes, and to take in newe intack
 closes oute of the commons, payinge to theyz
 moze rente therfore, ſo that the common pa
 waxyn leſſe, and the rentes of the tennauntes

the and moze. And that is because the tenants
of rewarde moze polotike in wisdom to improue
om by tenementes, holdynges, and fermes, and at
treu the ende of the terme, an other man that made no
at he of the sayde improuementes offereth the lord
es the ayne money for a fyne to haue it, or to heyghe
dis the rente of the same, so that he that made the
the to of his children, shal not haue the sayd ferme
haue hout he wyl geue as muche or moze as is offer
at to the Lord, and so thow the cruy of his
fwrn hghoure and the couctousnes of the Lord and
h. D. officers, the pooze tenaunte hath a great losse
f the is viterly badone, God amend it. And the
e, w. es haue a greter losse thā they wene, for they
es ca. aunes se howe they neygghoures that haue
ned doided they houses, improued they landes and
they out oute, except he make a fyne or paye moze
they te, causeth men nother to buylde nor other
e, a. se to improue they holdynges, to the Lordes
medo at losse at lengthe. And where the statute saith
And omnibus aliis existibus viuariorum morarū
hepe rum & bastorum. And of al pofpytes that shal
zdes e of the lordes standing waters, mozes hethes
wes walles. Viuarium is a pole or a mepe that
tena e increaseth and leueth in. Some rynnynge
nd al ers be as free and seuerall to the Lordes, as
they ppoles, merzes of stannynge waters. And as
es of be stozed with fysh, so be the pofpyte ryle
spen he Lord. Whether they go by waye of im
art of uement or ferme, wher of the bayliffe shal
e at the. And so the pofpytes, & walles, go in
they maner as the archage of the townes, for the
en pa es tenementes shal haue in al such out groudes
ūtes they shall haue no woods.

All thoznes

Surreyngre.

hesnes, turnes, gose, ferne, & suche other, but byem
custome, or els speccall wordes in his chartour and

Of mylnes seuerall fychynge, and comen fychynge
what they be worth in the pere. Capl. ix. me

Item de molendinis piscariis, seperalibus, & co
communibus quantum valent.

Also of mylnes, seuerall fychynge, and come lo
men fychynge, what they be worthe. In thirte
thort artycle me ipe thynge are to be remembred the
for where he sayth. De molendinis, the whiche come
in the purcell nombze, it is to be vnderstande, that to
there be many maner of mylnes, as corne mylner a
wyndemylnes, horse mylnes, and quernes that gynn
wyth hande. Fulling mylnes, sythemylnes cutt lace
mylnes, smythe mylnes, and all other as the whiche
goeth by dyft of water, to blowe the bales of cloth
dray any water lyke a pompe, as ther be in London
wall and dyuers other places. Though they han
no mylnes properly to grynd corne, yet it is a p
fyte to the lord, & whiche a Surreyngre may not
forget to put in hys boke, and to but and boante
them as they lye, & who be the sermyours, and whiche to
renters they paye. And to the corne mylnes to
most parte of them belongeth. Socone, that is
say custome of & tenauntes to grind their corne
the lordes mylne, and that is as me semeth, al so
corne as groweth vpon the lordes grounde, whiche
he spendeth in his house. But and he bie his corne
in the market or other places, he is than at ipe
eye to grynde where he maye be best serued, the
maner of gryndynge is called lous socone, & lous
lordes tenauntes be called bode socone. And if
grynde nat they corne at the lordes mylne, & lous
may amerce them in hys courte, or els he maye

t hym at the comen lawe. De secta molendini sas
uranda. But whan he shall make hys declaracion
for the debet, and whan in the solet. I remyt that
is men of lawe, that haue experyence therof. It is
, so to be knowen howe the tolle shulde be taken
at there be so manye dyuers grauntes made by
some lordes some men to be grounden to the twentye
tharte, and some to the. xiiii. part, tenaunte at wil
by the xvi. parte, and boundemen to the. xii. parte,
some men tolle free, and some to hopper free, that
the to wyte, that his cozne shalbe put into the hop
under and grounde nexte the cozne that is in the
topper at the tyme of hys commyng. And in some
place to take the tolle after the strengthe of the wa
ther, that folowethe by reason, for that mylne that
with a byg water, and maye dyue a greate brode
oz one, the whiche wyl make muche more meyle,
than that mylne that gothe with a lytell stone, he
ys much better worthy to haue the moze tolle, and
yet shall the owner of the cozne haue the moze pro
fite. And so there be so many dyuersytes of taking
whiche tolle, that I wyl nat take vpon me to tell how
but also I remyt it to men of lawe to shewe the
dyuersytes. But doubte ye nat, the mylners
shyl be no lesers. of all mylnes ther shal moze be
spoken of in the Chapter of waters amonge the
emproumentes. De piscariis sepealibus, that is
of the ryuer stande, in the lordes standinge waters
as pools, meyes, and also runnyng waters that
the seuerall, as there many in dyuers countreyes
set to ferme from one place of the ryuer to anot
ther for certeyn rente, and yf any man fysh the in
the lordes pool or meyes, the Lord maye haue
the accen vpon the statute. Westmynster priuie
L.iii. And

Surreynginge.

And yf he fyfche in the ronnyng and feuerall whe
ers, the lord maye haue his accepon at the com
lawe, and in lyke wyse the lordes tenaunte, yf any
man fyfche in his ferme holde be it standyng and
ters oz ronnyng waters, And where he sayth. Lat
omnibus, of comen felshynges, that is lytle pur
fye to the Lord but to hys tenautes, excepte he
dwel ngyhe the see, and wyl cause hys seruaunt
to fyfche there for him, for þ is the best comen wy
ter þ anye man can fyfche in. And some ronnyng
waters be comen, as lytle brokes & dyches, and in
some ronnyng waters, the lordes tenautes haue
lyberty by custome to fyfche w thowenettes, trow
nettes, small pytches, & such other.

Of free tenautes the whyche dwell wythout
as well as within. .xc. Capit. x.

Item inquitrendum est. de liberis tenentibus
quibusque foris et in foris.

Also it is to be enquired of freholders, the whiche
dwell without as well as within. By thys leuyn
it is to be vnderstand. that a freholder maye dwel
out of the precyncte of the lordes maner, and yet
holde hys lande of the sayd maner. For one maner
may stretch into dyuers thynges, as the honours
Cutebury, Walyngforde, Mountefrette, Col
hill, & suche other. And in that case the lord of the
honoure oz maner, may take a distresse for hys
tes, homages, relyfes, customes and seruyces due
to hyng the same distresse out of that thyng wher
ee it was taken, into the thyng wher the maner
of whome the sayd lande be holden.

And yf the tenaunte wyl sue Repleyn, the
wyf where the catell is, shall make and serue
Repleyn, and nat the thyng where the goodest

the ratell was taken, nor retourne of his repleuy.
Quod auctia elongata sunt. And the Lorde maye
 of a free holder that holdeth his lande of hym
 and payeth him cheefe rentes, and other scruyce,
 by the reason of any maner. And thus yf a mā
 purches a parcell of lande before the makynge of
 the statute *Quia emptores terrarum*, and geue
 the landes agayne to a straunger before the ma-
 kinge of the sayde statute, to holde of hym by cer-
 tayne rente and scruyce, this may be called a free
 holder, for it is no parcell of any maner
 land it is no maner it selfe. For to euery maner be-
 longeth two thynges, that is to saye, parcell in de-
 meyne, and parcell in scruyce. That is landes in
 homedeyne belongynge to the maner and scruyce,
 customes, or rentes, & this free holder I speake of
 before hath demeyne, but he hath no scruyce. Als-
 o a man maye haue bothe rente and scruyce of a
 free holder, and yet he holdeth not hys landes of
 hym that he payeth his cheefe rente vnto. As and a
 man purchase landes sith the makynge of the sayd
 statute, and geue it to a straunger, reseruyng fe-
 mantye and certayne rente, thys free holder holdeth
 not his landes of the cheefe Lorde next aboue, and yet
 shall he paye hys rentes and scruyces reserued to
 of hym that gaue it to hym, and if the gyfte were in
 fee taylor and no remayndre in fee ouer, now the
 reversion resteth still in the donoz, I could speke
 more of the gyftes and remayndres, but I reme-
 mber to men of lawe that be learned, for it is not
 the matter that I intende to speake of. Now be-
 cause it is very necessary for euery Surueyours to haue
 a syght and experyence of the comen law, or els
 some season he shall dysserue his Lorde, or his
 L.v. tennante

Murderinge.

tenaunte, and specially his owne soule, for saynne
 Iacobus saith. Quod ignorantia crassa uel ad
 facta non excusat peccatum. That is to say, ig
 nozaunte of connyng or of the faculty in him than
 taketh vpon hym, as a mayster or a teacher of that
 science or connyng, excuseth nat a mans offensa
 for euery man þ god hath sent wyf & reason vnto
 is bounde to knowe whether he do wel or yl. And
 therfore it is necessarie, þ euery man learne & by
 his delygence to knowe, what he ought to do, & f
 he take vpon hym, any such office or roume.

¶ Who be free tenautes, & what landes & tene
 mentes, & what fees they holde, and by what seruyce
 they paye, whether by socage or by knyghtes seruyce or
 other, & what rente of Assise they gye by the p
 & who holdeth by charter, & who by auncient
 maner, & who by newe feoffement. Capi. xi.

Item inquirendum est, qui sunt liberi tene
 tes, & que et quas terras & tenementa, et que fees
 teneant, et per quod seruicium, utrum per soca
 gium, vel per seruicium militare, vel alio modo,
 quantum reddant per annum de redditu assise,
 qui tenent per cartam, et qui non, et qui per an
 quam tenuram, et qui per nouum feoffamentum.

Also it is to be inquired, who be free tenautes
 and what maner landes and tenementes, and wh
 fees they holde, and by what seruyce, and wh
 ther it be by socage or knyghtes seruyce, or of
 ny other maner, and what they paye by the
 re of rente of Assise, and who holdeth by chart
 and who nat, and who by the maner, and
 who by the newe feoffement. It appereth by th
 arpele, that there be maner maner of free holde
 and holde they landes and tenementes in dyu
 man

farmer, and by many maner of rentes, custome,
 sell ad seruyces, as tenauntes in feesimple, tenaun
 ty, in taylor, tenauntes by coppe of courte rolle, te
 nanties by the curtesye, tenauntes in dower, and
 of tenauntes for terme of lyfe by speccial graunt, and
 many other. And all these tenauntes maye holde
 bynny landes by dyuerse cures, customes and ser
 uices, as by homage, fealtye, escuage, socage
 & byghtes seruyce, graunt sergentye, petite sergens
 so, frankalmoyne, homage, auncetrell, burgage,
 currs, and tenure in byllenage. But to declare
 the dyuersyte of all the tenures, it wold be to long
 to set forth, & therfore I remyt it to the fyrste boke
 of the comen lawe, called the tenures. But the
 dyuersyte of these tenures, what rentes, fees, cus
 tomes, & seruyces, the lord ought to haue of his
 tenauntes, can not be knowne but by the lordes eu
 idence, court rolls, rentales, and such other preside
 nces, & especially by the ogygnall dedes of theyr te
 nanties. And ye shal knowe, that the lordes maye not
 do, streyn theyr tenauntes, nor reas: theyr landes
 se, to theyr handes, to cause their tenauntes to
 answere theyr euvidence, wherby they holde their lan
 tyn. But and the lord haue any euvidence, rentale
 nces or court rolles of any maner of rentes, costs
 wherby, or seruyces, that he hath not and can proue
 wherby possession of the same in his auncetres, lity the
 of anytacion expessed in the statute of Westmyn
 e for seconde in the seconde chapyter, that he maye
 reuefully distrayne for the same. And than make
 a tenaunt. wherby a discharge by sufficient wy
 thinge, and not by wordes or cle to paye the same
 ided in wytyng, maye not be dyscharged by
 unpube parol, s. bare wordes. The statute speke
 and

Surreynge.

Qui tenent per cartam, et qui non. The tenants in fee simple, and the tenants in tail, they have evidence and deeds made and sealed, and possession delivered of their lordes or by their turney, from one to another, they holde the landes by charter, be renew made or olde. Also there be tenants in fee simple, and tenants in tail, that hold by no charter, and those tenants be copy of court rolls. And as a lord have a maner, and wythin the sayde maner there is a custome, þ hathe bene used tyme out of mynde that certayne tenants wythin the sayde maner have used to have theyre landes and tenement to hold to them and to theyr heyres in fee simple, or fee tail, or for terme of lyfe, at the wyll of the lord after the custome of the maner. And such a tenant may not gyve or sel his land by dede or he do, the lord maye entre as in landes forfeited to hym. For yf such a tenant wyl gyve or sel his maner of landes to another, he must surrender the same landes in the lordes court, into the lordes hands, vnto the vse of hym þ shulde have it, in fee simple, fee tail, or for terme of life. And he that shal have the lande, must come into the court and take it of the lord as her after foloweth.

AD hanc curiam venit J. B. et sursum rediit in eadem curia unum messuagium. et in manus domini ad usum. J. D. et heridum suorum herede de corpore suo existens. et post terminum vite sue. Et super hoc venit p. 4. D. et petit de domino in eadem curia possessionem. et habendum et tenendum sibi et heredibus sibi et heredibus de corpore suo existens sibi vel sibi ad terminum vite sue ad voluntatem

nam secundum consuetudinem maneri faciendo et
 e, reddendo inde redditus scutria et consuetudines
 , de prius debita et consueta, et dat domino de fi
 re, et fecit domino fidelitatem, et admissus est
 the tenens. And these maner of tenautes shall
 A plede noz be impleden of theyz tenementes by
 ene knynges wytte, but and they wyll implede the
 of for theyz tenants, they shal haue theyz pleine
 A de in the lordes court, after this forme of effe
 the A. de B. queritur versus C. de D. de placito
 nyte bez de vno messuagio, decem acris terre, tris
 nans acris prati, et cum pertinentiis. And shall
 nt the protestacyon to sue his plainte in the nature
 in the knynges wytte, of fozindowne in descens
 of at the comen lawe, or of the knynges wytt of
 the of Nouell disseisin, or of Wyse of Bardau
 deker, or of any other wytte at the comen lawe
 ta legi de prosequendē. G. f. et. G. H, but how s
 sularacyon, the answer, replicacyon, and reioyn
 des shulde be made, and also an accyon of Dette.
 es etinue, Couenant, Trespass, and suche other, I
 n nytte that to men of lawe, that haue experyence
 e therof. But one thinge wote I well, that manye
 t a erronouse processe the Stewardes make in
 yz courte rolles, wherfore men of honoure and
 ed worthyppe, and suche other shulde make men
 in lawe, theyz Stewardes, and to cause them
 m exersyce the offyce hym selfe, wythe his cler
 m sufficiente instructed by hys mayster, that
 re maye the proues without fauoure, byz bez
 G. or exersyce, on payne of fozfayture of hys of
 re. But it is a comen vse in some counreys,
 of lordes, knyghtes, squyres, and gentylmen,
 at knowe but ytell of the lawe, be made Ste
 wardes

Dutyng.

Wardes, and they comen to the court of the
 theyr clerkes, that can as well lator as their in-
 ter of lator, but that he understandeth a lychen-
 den. And yf there be a fyne to make for a tenage
 house, or close that is to be set the Stewarde shal
 haue a rewarde for hys good wyll. that he may
 haue it befoze another man, and the clerke may
 haue another rewarde for to entreate hys ma-
 ster to the same, so that the lordes fyne muste
 be the lesse, or els the pooze man shal be
 great charge, wherof speaketh Salomon p[ro]p[ter]
 h[um]anum. xvi. Melius est parum cum iusticia, q[uam]
 multi fructus cum iniquitate. It is better to be
 a lychen rightwysely, then to haue muche p[ro]f-
 ite wickedly. But nowe mynater that I speak
 befoze, there maye be in one maner of lordshipp,
 bothe charter lande and copp lande, & eche of them
 well knowne from other & one man maye haue
 hold them bothe. Also ther be other tenauntes
 copp of court rolle, and are called tenauntes p[er]
 le verge. s. by the yerde. And they be called so
 cause whan they wolde surrender theyr tenem-
 es into the Lordes handes to the vse of ano-
 theyr shal haue a lychen yerde in their hande by
 some of the court, and that they shal deliuer
 to the Stewarde, yf he be there presente, or to f[our]
 ly or reue, or to other two honest men of the lord-
 shippe. And at the nexte court be that shal h[ave]
 the sayde landes shal take it in the court, and m[ay]
 takynge shal be entred in the rolle. the Stew-
 or baylyffe, as the custome is. all deli-
 to hym that shal haue the lande, or e yeth
 or another in the name of season, and at the nat-
 out

of their eydenche but the copy of the court rolle, and
 it may be made in fee simple, or fee taylor, or for
 terme of lyfe, And all maner of costomes that be
 naught agayne reason maye be admitted and allowe
 d for a custome. And howe be it in these maner of
 tenement holders of haue a state of inheritance, after
 the custome of some maner, yet haue they no fea
 s in tenement, bycause of some law, & therfore they
 are called tenauntes of base nature, Wheremeth it
 shal be necessary & conuenient to shew diuersitee, how
 the surrendres shoulde be made, for feare lest euery man
 shal be ioyned to kepe a court, hath not perfectly
 to hyence therof as here after ensueth.

First of surrendres of landes holden by some
 year. **E** shall take a yerde in his hande by the ende
 of the yerde, & deliuer the Stewarde the other ende in hy
 s hande, and say to the Stewarde Here J. B.
 has yelde up or surrendre my landes called D. the
 whiche I holde of this lordshyppe at the Lordes
 will, after the custome of this maner, to the he
 irs of John Browne and his heires.

How the Stewardes shal deliuer season.
The Stewarde shall deliuer hym an ende of
 the yerde in his hande & shall haue this land
 for the yerde in his hande & shall say thus to hym. For
 your lordes graunt to you season of this lande that was J. B.
 the whiche ye take here in the court to you & to your
 heires, to holde at my Lordes will, after the cus
 tome of this maner, & than he shall be sworn, &
 receive the othe of the othe of the tenaunter.

What he shal say to the lord.
I shall be true and trouthe to my Lordes of
 this maner, as for the landes and tenementes
 that I haue taken of hym, and truly do and pay
 out sutes, customes, rentes, and scrupes that lon
 ge to

Duruyng.

rethe thereto, as for the terme that I shall occupy
it. So helpe me god, &c. and hyffe the boke, and
downe one peny as the custome is.

¶ Howe the copoe shulde be made of landes by
den by the yerde.

Ad hanc curiam dominus concessit extra m
nus suas per. J. f. capitalē Senescallū
C. D. et M. vrozū eius vnam messuagium
acras terre cum pertinētis, iacētes apud. B.
bus dominus per senescallum suum concessit
etiam habendum sibi et heredibus suis de do
no per vīrgam ad voluntatem domini secundu
consuetudinem maneris, et dant Domino de
pro ingressu inde habendum, prout patet in ca
se et fecit dñs fidelitatē, et admissus est inde tē

¶ Another forme for certayne rente, for
all maner of serayce.

Ad hanc curiam dominus concessit per. J. f.
Senescallum suum C. B. et M. vrozū sui v
messuagium sex acras, terre .ii. acras prati, et
nam acram basci cum pertinentiis prefatis
M. heredibus, et assignatis suis ad volunt
domini secundum consuetudinem maneris, re
inde annuatim domino, in heredibus suis, vel
cessoribus suis, si dominus sit religiosus. v. s.
d. pro omnibus et singulis seruiciis ad duos an
terminos videlicet. &c. equis pzoctionibus, et de
domino de fine. &c. et fecit fidelitatem.

The comen course is not to put in certyan
all theyr rentes, customes, and serayces, in the
coppes, and that is in aunty al, and
all places where the tenauntes haue
des by coppe to them and theyr heppes
custome of the maner, for there they haue oz oug

due a customary role, wherin is euey mans
be conteteyned, and what rente, customes, and
es byces euey man ought to paye and do, and in
y places, theyr lawes and theyr customes bee
in wytyng, and remaine in theyr owne ke
to put them in a redynesse, whan nede shal
yze, but and there shalbe made any newe ins
ementes, oz intackes, inclosed oz taken oute
e commens, oz any myne newe found, as lead
n, cole yron, stene, oz suche other, yf a coppe
be made therof, it is necessarye and conuent
the rent therof to be put in theyr copy, for it is
we thyng, that hath nat gone by custome, and
it wolde be put in the customary role, for this
e approuemente maye fortune to encrease of
e oz decrase in rente, and therfore the rentes
alway be expresse. Also where a man hathe
dehpy, wherein be many tenauntes that hold
landes of theyr lord by copy of court rolle,
time of yeres, oz for terme of lyfe, where they
state of inherytaunce. In all suche coppes, it
conuenient, that the rentes be expresse in the
coppes, causa patet.

A recognycon of a tenaunte, what he
holdeth of the lord.

D hanc curiam venit R. C. coram, S. C. les
hescallo huius manerii, & cognouit se tenere
ho vnum messuagium, decem acras terre, tres
s prati cum pertinentiis in D. vocatē L. libere
arra. gio per reddituz, xii. d, vel vnā
m vi. curiē bis per annum. Et
de R. C. cognouit se tenere de Domi
m messuagium cum crofto adiacente, & sex
terre, et duas acras prati cum pertinentiis

D. l.

ad

Surreyng.

ad voluntatem domini secundum consuetudinem
manerii, et p redditiū duorum solidorum, et fecit
delitatem, et admissus est tenens.

C The fourme of a copy in auncient demore
where the proclamacyon shuld be had.

E Ad hanc curiam tentam ibidem tali die et a
re. venit A. B. filius et heres F. B. et sursum
dit in manus dñi vnum messuagiū .x. acras ter
res acram pñti cum vno crofto in D. infra
dictionem huius curie ad opus E. F. heredi
assigni suorum impceptum virtute barganier
eos factur. Et super hoc publica proclamatio
eadē curia facta fuit, q si quis aliquod ius suū
tulum ad eadem messuagiū terre pñti et crofti
vel in aliqua eorū percella pñtēdere voluit, bla
beret, veniret et audiretur, et nullus veniret
curiam, p quod secundē cōsuetudinem manerii
messuagiū pñti teras pñti et crofto pñti
remanerent in manus domini vsq ad tertiam
clamatio sup eodē facta, et super hoc dies du
est partibus pñti effēdi ad pñti curiam
neri pñti, ad audendum inde iudicium suū
pñti. Et ad hanc curiam tenē pñti
re, tam pñti A. B. q pñti .f. veniret
super hoc secunda proclamatio facta fuit sup o
missis, q si aliquis aliquod ius, vel tūlū
dicti messu. terre pñti, re. haberet ac pñti
veniret et audiret. Et nullus veniret et super
dies dati est partibus pñti effēdi ad pñti
curiam manerii pñti ad audendum inde iudicium
suū. Et ad hanc curiam tēter cor. et tali die
tam pñti A. B. quā pñti .f. veniret
sup hoc tertia proclamatio facta fuit sup pñti
quod si aliquis aliquod ius, vel tūlū ad pñti
messuagiū, terre pñti et crofto, vel in quicūq

ad illam prella haberet vel prenderet, venisset et aux
fecit et nullas adhuc venit. Et super hoc domi
per J. G. Senescallum suum concessit sessin
em predicto messuagio, terris, pratis, et croftis, cu
d. impertinentiis, prefato E. f. tenendum sibi
et arduous, et assignatis suis secundum consuetud
um manerii predicti, et dno de fine ad ingressum.
as ter admissus e inde tenens et fecit fidelitatem.

ra The fourme of a coppe in auncyente demeyne,
rebo where the wyfe shalbe exampred. Dale,

ante Ad hanc curiam tetam ibide tali die an, &c.

natis de R. & M. broz eius hic in plena curia sol,

s summatim & confessi sursum reddiderunt in manus

crimini unum messuagium et domidiam bonatam

it, vnam, ac vnam quatronam terre cum suis perti

it aulis in R. predicta voce D. ad opus W. L. de

ner unde accidit domino unum equum de herfor

zedet super hoc vult dictus W. L. et cepit de dos

stanto dicti messuag. &c. cum suis pertinentiis has

otes dum et tenebunt sibi et Anne broz sue et heres

uritis et assignatis ipsius W. imperpetuum scet

en in consuetudinem manerii, per reddendum cons

et audinem, et seruicium inde prius debite et com

eriter, et dant domino de fine pro ingr. su habens

upis dicti messuag. et ceteris premissis, et data eis

am anam, fecerunt fidelitatem.

et ed. Another in the same term of lyfe

upis hanc curiam et J. D. et J. broz eius ip

pro sola et J. D. et J. broz eius ip

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tum tenementum cuiusdam J. C. sine licentia domini, et inde respondebit domino de rebus quousque et quod in ista eadem curia dominus ex sua gratia speciali concessit dictum tenementum cum pertinentiis prefato J. B. cui dominus inde concessit scilicet habendum sibi et heredibus, et de domino ad voluntatem secundum, et dat, et fecit, et

Another maner for terme of yeres, where the lord shal kepe reparacyon.

Ad hanc curiam dominus per J. F. senescallum suum concessit J. E. unum messuagium cum domibus super altatibus et diuersas terras prout pastuas et pasturas cum sepibus fossat, et omnibus aliis suis pertinentiis vocem J. habendum et tenendum sibi assignatis a festo sancti Michaelis archangelis proximo futuro post datam huius ceterum usque ad finem et terminum quadraginta annorum, et tunc proximo sequentum et plenarie complendorum, reddendum inde annuatim, ex. s. ad duos anni terminos videlicet, et per equales portiones prout semper quidem durante termino predicto predictetur dominus inuenient mercedem totiens necessarium fuerit dicto reddito ad emendandum et reparandum et sustentandum et dat domino de fine, et et fecit fidelitatem, et.

Another maner, where a man plet pleteth a tye, and after releaseth in the court.

Ad hanc curiam tenter, et ceterum est, quidem cum dominus per J. F. senescallum suum, ad curiam tenter apud, et ceterum die et an, et concessit extramagnum dominum J. et ceterum in suis unam partem terre continem, et ceterum terras terre sue plus sine minus habere, et ceterum J. in. A facientem inter terram, et ceterum ex parte australi et terram R. S. et. habendum, et ad voluntatem domini secundum, et et pos

Dursey Inge.

Non venit quedā Alicia Bate corā pfato J. F. sen
scallo dñi et pcedit habere titulu in pdicta pec
cia terre, et hinc pñs in curia remisit et relaravit
et imperpetuū quietū clamavit pfato J. B. et he
redem suis per licentiam domini totam ips suam
et clameum, que habet, et ell habuit, vel in futuro
habere poterit in pdicta pecia terre, et in qualis
bet inde percella, Ita viz q ipsa Alicia nec heredi
sui, nec aliquis alius nomine eorum aliquod ius,
vel clameū in pdicta pecia terre de cetero exiges
se, vel vendicare poterit, sed ab actione iuris vel
clamei sñt exclusi p pñtes, et dat dñs. et fecit. et

Another fourme, where the hepe is admytted
to hñs lande, after the death of hys father.

Ad hanc curiam tener. et cōpertum est quod
J. B. obiit seiscitus post ultimam curiam, qui
de domino tenuit sibi et heredibus suis unam pec
iam terre voc. C. et inde obiit seiscitus, et dicūt q
W. filius eius est proximus heres, et plene catari
vel infra etatem viz. xii. annorum et in custodia
E. D. vel. S. B. frater eius, vel cōsanguineus e
ius est proximus heres eiusdem J. B. et plene et
eis, et pñs hic in curia petit admitti, et admitt
sus est inde tenens, tenendum sibi et heredibus s
is de Domino ad voluntatem Domini secundum
consuetudinem. et. et dat. et. et fecit. et.

Another fourme of landes tagled wpth a
remayndze ouer.

Ad hanc curiam compertum est, quod W. B. d
J. ad curiam tener apud E. et idie et anno
et. sursum reddidit in manus domini. unum ten
mentum et tres accas terre voc. C. ad opus. W.
filii eiusdem. B. et J. uxorem eius quibus dom
pus cōcūit seiscinā, Tenendū sibi et heredibus
corporibus

corporibus eorum legitime preceator Et si dyedis
tus R. et A. vxor eius sine herediā de corporibus
eorum legitime preceator abierint, quod tunc pre-
dicta terra et tenementa cum suis pertinentiis res
maneāt recter herim ipsius R. B. Et inodo curia
ista informaretur p totū homagiū quod predes-
tus R. et A. abierunt sine herede inter eos proce-
ator et predictus R. B. Similiter et sup hoc venit.
J. B. frater et heres pdicti R. B. et petit admitti.
et admissus est tenens. et. et per licenciam domini
prefatus J. B. concessit predictum tenementum et
terras, que ei remaneant post mortem predictorum
R. B. et R. C. et A. vxori eius, remanere. W. E.
et heredibus suis, cui dominus inde concessit scilicet
nam tenendum ad voluntatem domini secundum
et. et dat. et. et fecit. et.

¶ Another maner for terme of lyfe, wyth dyuers
remayndres ouer.

Ad hanc curiam v. nit. R. B. et sursum redidit
in manibus dñi vnum messuagium, et octo as-
cras terre customariā voc A. v. dominus faciet is
de voluntatem suam, et dominus inde habetur sci-
fiam. Et ex gratia sua specialiter concessit predic-
tum messuagium et terram pctoro. R. D. et J. vx-
or eius durante vita eorum, itaq. ad post eorum
decessum dictum tenementum et terra remaneant
B vxori A. durante vita sua, et post deceſsum ip-
sius B. predicta terre et tenementa remaneant rec-
tis heredibus ipsius R. B. in perpetuum tenendū
eisdem R. B. et J. vxori eius durante tota vita e-
orum per ad voluntatem domini secundū
et. in se pctora, salvo iuriam cuiuslibet, et. et
predicti R. et J. dant domino de fine. et. et fecerūt
fidelitatem, et.

Suetorynge.

C A suefoze out of the Courte, and a remayndre
wyth a condycyon.

C Ad hanc curiam compertum est, quod R. f. la
guis in extremis sursum reddit in manibus B. B.
extra curiam per manus J. H. in presentia A. C. et
B. D. teneantur huius maneri hoc testante unū
messuagium cum pertinentiis. et ad opus. A. bro
cem predictor R. f. tenendum sibi per seruiciam
inde debitam secundum consuetudinem manerii p
termino vite sue, ita quod post mortem dicte. A. p
dictum messuagium remaneat J. filio predicto, B.
et A. et heredem de corpore suo legitime procreas
tur Et si contingat J. obierit sive heredibus de
corpore suo legitime procreariam quod tunc p
dictum messuagium reman J. filio predicto B. et A.
et heredē de corpore suo legitime procreator Et si
contingat predictor B. obiere. et. quod tunc p
dictum messuagium per executores utrumque eorum diu
tius viuenter vendatur, et denarios inde receptor
et prouenienter pro animabus parentum suorum et
eorum in piis vsibus, et operibus caritativis in
missis celebrandis et elemosinis distribuendis, prout
melius eis viderint expedire pro animabus ante
cessorum et predecessorum suorum, quibus domi
nus inde concessit seruiciam tenendū in forma p
dicta ad voluntatem domini secundum consuetu
dinem manerii, et dant domino de fine. et. et fecit fi
delitatem. Et nota q si unus eorum obit, et heres
etiam sit infra etatem, fidelitas respectuatur quos
usque ad etatem veniat.

C A supplication to be exempt from all manner im
quises and iurges within the last tynne.

C Ad hanc curiam venit R. C. instantis suppli
cando prout ipse per plurima tempora transactas
supplicas

ſupplicauit, Et proferat domino ſinem annualem nomine exemptionis, vt ipſa ex ſua gratia ſpeciali et fauore ob cauſam ſenectutis infirmitatis et debilitatis ſue poſſit exonerare de cetero, ab omnibus et ſingulis inquiſitionibus iuramentis et officiis quouſcumque tam in hac villa qui alibi infra diſtium domini ſibi obiciendū et aſſignandū, quapropter aſpecta vero ſenectute, vna cum infirmitate et debilitate ſua ſub ſine annuali nomine exemptionis inde prolate ac ſuggeſtione etus per teſtantes et uiſus q̄ ipſum veraciter congrua et iuſticia in premiſſis. Modo dominus conſeſſit in iſta carta per J. F. ſeneſcellum ſuum preſato R. L. huiusmodi licenciam fauore et exemptionem ad terminum vite ſue duratur, et predictur R. L. dat domino de annuali redditu per ſolucendū annuatim. liiſ d. ad terminos vſuales.

¶ Ad hanc curiam venit J. S. et dat domino de ſine p̄ ſecta curiā reſpectandā p̄ vnū annū vt patet

¶ Ad hanc curiam venit J. S. natiuus domini huius manerii, et petit licenciam ad maritandum filiam ſuā infra diſtium iſtud vell extra, et diſs per W. L. ſeneſcallum ſuū cōceſſet licenciā, et dat et

¶ Emorandum that there is no maner of eſtat made offree lande by palle dede or dede indented, but ſlike ciuitates may be made by cōpy of cōpy landes, if they be wel made and entered in the court rolles. And the Steward is bound by lawe and conſcience to be an indifferent iudge bytwene the lord and his tenauntes, and to enter theyr copyes truly in the court rolles, the whiche is a reſpect to the lord to knowe his preſydence, cuſtomes, and reuyns, and alſo a great ſuretye to the tenauntes, that & theyr cōppes were loſte, they

D. b.

may

Durryinge.

may brouche and resorte to the lordes court rolles and the stewartde maye make them newe coppes, accordyng to the olde pcedent in þ lordes court rolle, lyke as at the common law, whan a mater in verraunce bytwene two men is past by verdyt and iugement gyuen therof, and entred in the kyn ges recordez, there it resteth of recorde and also yf a dede oz a patent be inrolled, there it remayneth in lyke maner, so that yf any partie wyl haue any copp therof, they may sue to þ Judges & the offy cers of the place where the recorde lyeth, and haue a copp therof exemplifyed vnder the seale of office of þ same place, where suche recorde lyeth, & maye plede þ same recorde i euery court the hig hath, & the lordes stewartde may do in lyke maer &c.

The othe of all maner of officers generally,
Whome the Stewardde shall save, Iep thy hande vpon the boke, & save after me. I shall true costable be, true thridhowe, true reue, true frankeplege, true tithingman, true ale taster, true wodward, and true pynder, wyth suche other offycers that be vsed to be swozne in the Lordes courts, and true presentemente make, and truely and duely do and kepe all thynges that belongeth to myne offyce to do. So helpe me God and my holydome, and hyffe the boke.

The othe of a Denyson.

I shall true lyege man be, and true fapth beare to kynge Edward that now is, & to his heyres and no tresor do, noz here by me, noz no theste do, noz no theues felow, & of them to know. But that I shall enforme & wote the þ be þ kynges offycers therof, þ haue the lawe to gouerne, & I shalbe buxome & obedynt to iustices & commysioners

commissioners, Sheryffes, Eschetours, baptyffes, and
costables, & to all other officers of the kynges, in
all thynges þe they commaunde me to do lawefully
So helpe me God and holydome.

¶ The othe of a serour.

I shall truly assere thys courte, and hygge no
man for no hate, ne lowe no man for loue, but
to set every man truly after the quantyte of hys
trespas to my knowledge, saupnge to a Gētilman
his cōtēnaūce & his hōscholde, a marchaunt hys
marchaundyse a husbāde hys tenure & his werke
beastes, to his ploughe. So helpe me God. &c.

¶ This artycle gothe further. Et quantum red-
dant per annum de redditer assise. And how much
they yeld by the yere of rent of assyse. And fyrste
ye shall knowe, that there be thre maner of rentes
that is to say, rent Seruyce, rent Charge, & rent
Secke, Rente seruyce, is where a man holdeth his
landes of his lord by fealtye and certayne rent,
or by homage, fealtye, and certayne rent, or by any
other seruyce and certayne rent. This is a rente
seruyce, & yf the rente be behynde at any daye that
it ought to be payde at, the lord may distraine for
that rente of comen ryght, and yf the lord pur-
chase percell of the sayd lande then the rente goth
out of, the rent shalbe appoynted, excepte it be
an entyre rente, as a sparhawk, or a horse, or such
other that can nat be seru. & for than the rente is
extyncte and gone for euer, &c. Rente Charge is
where a man is leased of lande in fee, and graun-
teeth by rule, dede, or by dede endented an annuall
rente ge. ng out of the same landes in fee or in fee
taylor, or for terme of lyfe wpth a clause of distress
that is a rent charge, & the graunte may distrayne
for

For the same rent, because of the clause of distress.
 But yf the graunt purchase parcell of the sayde
 landes, wherof the sayde rent goth out, y hole red
 charge is extinct and gone for euer, for such a red
 charge may not be appoyoned, because the land
 comes to his owne possession by his owne acte
 or dede. Rent secke, is where a man leased of lan
 des in fee graunteth a rent going out of the same
 without a clause of distress, that is a rent secke
 and it is called a rent secke, because there is no
 distress incident nor belongyng to the same. Al
 so yf a man by dede indented make a feoffment
 in fee or in fee taylor the remaynder ouer in fee or
 for terme of lyfe remaynder ouer in fee, reseruing
 to him certayne rente withoute any clause of dy
 stress in the same, that is a rent secke, and yf the
 graunte were neuer leased of the sayde rent, he is
 without remaynder by course of the comen lawe.
 There is another maner of rente, that is neyther
 rent seruaice, rent charge, nor rent secke, and y
 is called rent Annuell. And that is, where as a
 man graunteth by his dede, an annuall of. x. s.
 he it moze or lesse, and chargeth no lande with the
 payment of the same. That is a rent Annuell, and
 it chargeth the persone that graunteth the sayde
 rente by a. of Annuall, and in some cause a
 rent charge may become an Annuell rent, as and
 a man graunt a rent charge out of his land with
 a clause of distress, the graunt is a libertie, whe
 ther he will distreyn for the rent, or for a wrytte
 of Annuall agaynst the graunte. For yf he for
 his wrytte of Annuall, the lande is bounden to
 any distress, and therfore the graunte. may
 make a prouision in his graunte. s. p. ouer the

per quod p[re]sens scriptum nec aliq[uo]d in eo spec[if]icatum non aliquo[modo] se extendat ad onerand[um] personam meam p[er] h[uius]ue, vel actionem de annu[ali]tate, sed tantummodo ad onerand[um] terras, & t[er]ra p[re]dictam de annu[ali] redd[itu] p[re]dictet. And this pul[se] se had, & lādes be charged and & persō discharged.

Of those free tenauntes that sue to the courte of the Countye, & who seweth nat, and how much falleth to the lozde after the decease of such tenauntes. Capi. xii.

Item inquirendum est de p[re]dictis libere tenentibus, et qui sequuntur ad curiam ad com[unem] in commitatu, & qui non, et quantum accidit d[omi]no post mortem talium liberozum tenentium.

It is to be enquired of the foze sayde free tenauntes, whiche of them shal folowe the courte of the countye, and which nat, and what shal fall vnto the lozde, after the deathe of suche free tenaunt. The semeth that all maner suche tenauntes that holde theyr landes by such scrupre haupnge charter lād ought to folowe the courte of the countye, yf he be sommoned to appere, & esope be haue a specyall graunte by chartour of the apnge to the cōtrary, and to be swozne in inquerres befoze the Justice of peace, Justice of the Assyse, excheq[er], coronours and all cōmissyoners of the hyngre, with bytwene partie & partye, as the lawe hath ordeyned it, how be it in some case he shal dispende & losse moze landes than in some case, that is to say, if the domage in p[re]s[ent] p[ro]cesses as Det[ra]ctio, Trespas Detinue, and suche othe[r], be charged vnder & value of .xl. shillings thā a fechores hath any charter land, be it moze or lesse, may passe betwene partie & partie And al so he is sufficient to enquire for the hyng in curia

Surueynge.

byll of inditement of felony, & so is every constable and freeman, though he haue no lande. But there shall no Constable nor freholder enquire of ryot, nor forcyble entres, without he may dispēde xl. s. clerely. And therfore se the statute of kynge Ric. the. ii. and kynge H. the. 7. And also where the damages in ple personel be declared. xl. markes or above, the freholder muste haue landes to the clere value of. xl. s. And euery man that shall passe of ipse and death and for ytell of lande, be it neuer so lytell, he must haue landes vnto the value of. xl. s. clerely, about all charges. And in attaynte yf the thyng in demaunde and verdyte vpon that gyuen, extende to the value of fortye. li. or above. That euery man of the graunde Jurie, must haue landes to the value of. xx. li. of freholde, out of all excent demeyne, & of landes in Gaucklynge, xx. li. and yf it be vnder the value of. xl. li. than. xl. s. of freholde is suffeycent. The statute reherseth furthet. *Quid et quantum accidit domino post mortem talium liberorum tenentium.* What and howe muche falleth to the lord, after the deathe of such free tenants. This and maye be, dyuers maners of rentes, adonies, and seruyces. As and a tenant by knightes seruyce desceythe, he payeth to the lord of full age, the Lord shall haue for euery knightes fee that the tenant holdeth of the lord, .xl. s. of his heretofore the name of relefe. For these whiche the lord maye receyue in euery parcell of that lande, thys is to holden of hym for the same of common ryght. And yf it be vnder a hole knightes fee, as half a knightes fee the thyrde parte, or fourthe parte, or the. xx. parte, more or lesse, the relefe shall be appoygonate, according

ordynge to the same, and shall paye his cheefe rents
 res (yf any be) neuer the les. And yf the tenaunt des-
 cende, his heire beynge within age of .xxi. yeres, &
 lord shall haue the warde and the keepynge of the
 body, durynge his nonage, and yf he be vnmarged
 than his marpage to gyue or sell to whome he wil
 withoute disparagement, and whan he cometh
 to full age, he shal paye no relefe, and yf he be mar-
 ried, and vnder the age of .xxiii. yeres, he maye re-
 fuse and disagre, but how the garden or his com-
 myte or graunte shall tende, and offer viarynge to
 the warde, and yf the warde refuse the offre, or yf
 the warde be raupshed, and of wardes bycause of
 wardes, and of disparagementes of wardes and dis-
 agreemente after marpage, and of waste done by
 the garden, or his commit or graunte, with mo ar-
 tycles parteynyng to the same I remyt all those
 poyntes to men of law, that haue knowledge and
 experyence therof, for it toucheth the nat mymatre
 that I treate of. And yf the tenaunte haue yssue
 female, about the age of .xiiii. yere, be she marged
 or nat marged, the lord shall nat haue the warde
 ne the marpage, bycause the lawe extendeth, that
 she hath a husbande or maye haue at that age, as
 ble to do suche scrupce. But and the same female
 be vnder the age of .xiiii. yere, vnmarged, the lord
 shall haue both the the landes holden of hym and the
 marpage, tyl she come to the age of .xxiii. yere, and
 two yere further to tende her marpage in, yf she
 be vnmarged. And at the two yeres ende, she may
 enter into her landes, and put out her garden, and
 to mary at her pleasure, but and she be marged be-
 fore the age of .xiiii. yeres in the lyfe of her auncel-
 ler, & than her auncelster dye, the lord shall haue the
 warde

Surueyng.

warde of the lande of the age of. xlii. yeres, and
her husbunde and the marcenter and put out the
Lorde, and yf the ternaunte holde of two lordes by
knyghtes scruyte, of one by ppyoyte, and of an o
ther by posterooyte, and dye, the lorde that the tes
nant holdeth of by ppyoyte, shall haue the warde
of y body, be it heyze male or heyze female, thoughte
there be. iiii. or. iiii. daughters, for all they are but
one heyze to the landes, that be holden of hym.
And the other lorde, of whome the landes be hold
den of by posterooyte, shall haue those landes hol
den of hym selfe, and nothyng els. And yf the
tenaunt holde landes of one lorde by knyghtes scr
uyte, and also holde landes of another lorde by so
cage, and dye (hys heyzes beynge wythin age) the
lord, of whome the landes be holden of by knygh
tys scrute, shall haue the ward and mariage of the
heyze, and the landes holden of hym, but he shall
not haue the landes holden in Socage, nor y lorde
of whome they be holden of nother. For those lan
des holden in socage durynge the nonage, shall go
to the nexte of the bloude, to whome the inheri
tance maye nat byscende, wherof he shall make
acompte to the heyze whan he cometh to full
age. &c. And if he heyze be of full age at the decesse
of his aunty, he shall pay a relefe to euery lord
that he holdeth any lande. & yf relefe be due to be
payde, by reason of this tenure. But in case that a
tenaunt holde dyuers manours of dyuers lordes
by knyghtes scrute, and hath but one varcel of
lande holden of the kynge in socage, he shall
haue all the hole landes holden of euery lorde du
rynge the nonage, and the marpage of the heyze
yf he be vnmarged, and yf the heyze be vnder the
age

age of .xlviij. yere, and wyl dysagre to the maryage
than the kynge shall haue the maryage of hym or
her, or the value therof, and the kynge shall paye
no these rente durynge the nonage, excepte it be
founde due to be payde in the offyce of the arches-
boure, and many other thynges maye falle to the
lordes, as herpottes, and other customes accor-
dyng to theyr ogygnall dedes, and vse of the ma-
ner. And ye shall vnderstande, that therbe two
maner of herpottes, that is to wete, herpottes seru-
ice and herpottes custome. Herpottes seruice is
where a man hath gyuen landes and tenementes
to another manne and to hys heires, to holde of
hym and of hys heires, as before the makynge of
the Statute. Quia emptores terrarum or by the
makynge of the sayde Statute, to hold of the chiefe
lorde of the fee, by the seruice therof due and of
ryght accustomed, reseruing to hym certayne ren-
tes, herpottes or any other custome.

This is rents seruice and herpottes seruice, because
it is expresse in hys ogygnall dede. Herpottes cus-
tome, is where a man hath a lordshyppe, where
in hath bene vsed tyme out of tyme, that euery
tenaunte, that holdeth any messe place of the lord
shall geue hys beste quicke good in the name of a
herpottes to the lord, and he that hath no quicke
good, shall geue his beste deade good. And in some
place the tenaunt shall geue for euery messe place
that he holdeth a herpottes, though the houses
were sette downe .i. hundred yere before, the
which houses shoulde be a greate bybery and
extorcion, as shalbe in the prologue of this trea-
tise. And therfore it is wysdome for euery man
to take hys house by indenture or by coppe, wher-

Exherpyng.

It may be exprested, what rentes, herpyottes, co-
stomes, and scrupes, the ternaunt shall paye and
do, for a lord may abyde and make less: hys cu-
stome by wytyng, for though he make wytyng
and speyfe what rent he shall paye, he must say
further, for al maner rentes, herpyottes, customes
and scrupes. And in some lordespyppe, euery man
that dyeth within the same, be he the Lordes te-
naunte or nat, shall paye an herpyotte. In so much
that yf a straunge man do ryde or goo by the way
and dye within such a lordespyppe, he shall paye
an herpyotte, the whiche is playne extorcion an
agaynst the common ryght. For betwene the lord
and hym that dyed was none other prouise of be-
gayne or couenaunt. And in some lordespyppe, the
Lord shall take the herpyotte before the persone of
the bycare hys mortuare, and in some places the
churche before. And that is, as it hath ben accus-
med and vsed tyme out of mynd. But for the mo-
parte the Lord taketh before, because the Lord
maketh couenaunte with hys ternaunte in his lyf
that he shall haue his beste quych good at his de-
cease and the mortuary it nat due tyl he be dead
and the herpyotte was couenaunted and graun-
ted before in hys lyfe, and the fyrst bargayne may
be obserued and kepte. And also in some places
is parted bytwene the churche and the lord, and
that is, where he that is dead hath nomore quych
good, but one horse or one beaste, and than he the
hathe bene vsed to those fyres shall haue the bet-
ter part by one peny, but of the good, eyther pa-
re shall haue one. But there shall nouthere of the
take any dead good, as longe as there is any quych
good.

goodes, and in mani lordshippes it is vsed, that and the tenaunt leaue his house by his owne wyl with out any discharge of the lord, the tenaunte shall pay his beste quicke good to the lord in the name of an herriot, and in some lordshippes it is accustomed, that and the tenaunt depart fro the lordes hypp by hys owne wyl, he shall make a fyne with the lord for his departyng, and moost commonly it is. ii. s. and it is called a farefre or a farewel. And such a tenaunte that gothe at his ownewyll shall make all maner of reparacions, and that tenaunte that is discharged by the Lord or by hys officers, shall make no reparacions, except he be discharged for nat doying reparacion. &c.

¶ How manye customary tenauntes ther be, and howe much landes euery of them holdeth & what workes and customes they do, and what the workes and customes of euery tenaunte is worthe by the yere, and how much euery of the payeth ouer for customes and workes. &c. Capi. xiii.

¶ *Item inquirendum est de customariis videlicet. et quod sunt customarii, et quantum terre quilibet customarius tenet, quas operationes & quas consuetudines facit, & quantum valent per opera & consuetudines cuiuslibet customarii per se per annum, & quantum redditum de redditu assise per annum propter opera & consuetudines, & qui possunt alligari ad voluntatem domini, & qui non.*

It is to be enquired of customari tenauntes, that is to wyte, how many there be, and howe muche lande euery tenaunt holdeth, and what workes & customes he doth, and what the workes and customes be worthe of euery tenaunte by it self, and

Darneynge.

goboe muche rente by the yere, ahoue bys wothes
and customes, he dothe paye, and which: of them
maye take theyr landes at the wyll of the Lord,
and which nat. Customary tennautes are
those that holde theyr lande of theyr lord by co-
pye of court role, after the custome of the maner,
And there may be many tennautes within the same
maner, that haue no coppes, and yet holde by lyke
custome and seruyce at the wyll of the lord. And
in myne oppryon, it began sone after the conquest
whan Wylliam Conqueroure had conquered the
Realme, he rewarded all those that came wyth
hym in hys brage royal, accordyng to theyr de-
gree. And to honorable men he gaue lordshippes
maners, landes, and tenementes, wyth all the in-
habytautes, men and women dwellynge in the
same, to do wyth them at theyr pleasure. And
those honorable men thought, that they must ne-
des haue seruautes and tennautes, and theyr
landes occupyd wyth tyllage, wherfoze they per-
doned the inhabytautes of theyr lyues, & caused
them to do all maner of seruyce, that was to be
done, were so neuer so byle, and caused them to
occuppe theyr landes and tenementes in tyllage,
and toke of them suche rentes, customes, and ser-
uyces, as it pleased them to haue. And also toke
all theyr goodes an cattell at all tymes at theyr
pleasures, and called them theyr bondemen, and
sythe that tyme many noble men both spyrutual
and tempozall of theyr godlye disposicion, haue
made to byuers of the sayde bondemen manumis-
syons, and graunted them fredome and lyberte,
and sette to them theyr landes and tenementes to
occuppe, after byuers maner of rentes, customes

and seruautes, the which is vsed in dyuers places
 vnto this daye. No doubt in some places þ bond
 men contynue as yet, the whyche meseeth is
 the greatiste inconueniencence that now is suffered
 by the lawe, & that is to haue any cristen man bou
 den to another, and to haue the rule of hys body,
 landes, and goodes that his wyfe, chylde, & ser
 uautes haue laboured for al their life tyme, to be
 so taken lyk as it were extorciō of bybery. And
 many tymes by colour therof, there be manye free
 men taken as bōdmen, and theyr landes & goodes
 taken from them, so that they shall nat be able to
 sue for remedye, to proue them selfe free of blode.
 And that is moſte comenlye. where the free men
 haue the same name as the bonde men haue, or
 that his auncesters, of whome he is comen, was
 manumpled befoze his byrthe. In suche case there
 cannat be to great a punyschement. For as mese
 meth, there shoulde no man be bonde but to God,
 and to his king and pryncce ouer hym. Quia deus
 non facit exceptionem personarum. For god ma
 keth no exceptiō of any perion. Wherefoze it were
 a charytable dede, to euery noble man both spiry
 tuall and tempozall, to do as they wolde be done
 by, and that is to manumple them that be bonde
 and to make them free of bodye and bloude, reser
 uinge to them theyr rentes, customed, wherein they
 may get the praye of the partye, and remysyon
 of theyr offences. In the Gospel Eadem men
 sura qua metimur uos, metietur uobis. The
 same measure that yee mete to other men, shall
 be metten to you. In manye lordshyppes there is
 a customarge rule bytwene the Lozdes and his tes
 nautes

Suraeyninge.

nauntes, and it ought to be indented, one parte to remayne in the lordes keepynge, the other part with the tenauntes, and dyuers true coppes to be made of the same that the rentes and customes come nat out of remembraunce. And also a supre role, to cal al those by name, that oweth any supre to the lordes courte, and than shall there be no conselmente of the suttours, but that the Steward may knowe who is nat there, and yf any Steward deceisse, the name of hys nexte heyre wolde be entered in to the same rolle, and an enquiry made and presented, what he helde of the lord, and by what rentes, customes, and services of euery parcell by it selfe, and who is his nexte heyre, and of what age he is of, & this truly done and entered into the rolle, it wolde be a conseruaunce of discent in maner of a pety degree, and profitable to the lordes, and also to the tenauntes causa pater. The name of euery tenaunt must be put in the rolle, & his mese place to be buttred and bounded, and it lyeth in lengthe and bredth, and by twene whome. And also his landes, medowes, leys, and pastures lykewyse buttred and bounded that it maye be knowne many yeres after, who dwelled there, and what landes, medowes, & pastures laye to the same at that tyme. And what workes and customes the tenaunte doth for euery parcell, & what the workes and customes be worth in a yere, and how much rente the tenaunt dothe paye for euery parcell, besyde the customes and workes, to the entente, that yf any parcell of land medowe, or pasture be alpyned, sold, or chaunged or put from one tenaunte to another. The Lord and his baylyffe may know what rentes, customes

mes, and workes he shall aske and haue of the occupper for every parcell. And it is the moste spey al poynte that longeth to a Surveyoure, to butte and bounde truely every parcell by it selfe, and to knowe what rentes, workes, and customes, and seruyces, goeth out of the same for than maye he make a true rentall or customary rolle, and put al thynges in a certepnty.

Of cotpers, what cotages and curtillages they holde & by what seruyce, & howe much rente they pay by the pere. *cc. La. xliii.*

Item inquirendum est, de cotagillis, que cotage & curtillagia teneant, & p quidē seruiē, & quātur reddē per ānū, p p̄dictor cotagillis & curtillagiis

Also is be to enquired of Cotagers, what cotages and curtillages they holde, and by what seruyce, and what they yelde by the pere for the foresayd cotages, and curtillages. This chapitre and the next p̄sibent, be both of one effect, but p̄ it is to p̄sume, p̄ therē is nat so much rentes herriot, customes, & seruyces, to be payde & done for a cotage, as therē is for a mese place or a better tenements, but it may be lyke costome and seruyce.

Of perquesytes or p̄ofytes of countyes, of courtes, and of forrestes, what they be worthe by the pere. *cc. La. xv.*

Item inquirendum est de p̄quisitis cōstitutis curiā forreſtariorū, cum p̄dictamētis, canum, iquantis valent per annum in omnibus exitibus

Also it is be enquired, of the perquesytes and p̄ofytes of the countyes, of p̄ courtes, & of the forrestes with the cutpyng of dogges claysee, and howe muche they be worthe in the pere to all the p̄sues and p̄ofytes. This chapitre toucheth nat the

Durueyinge.

the office of a Duruepour but lytel, for the pssues
and psofites of the countyes scssions, and assises
are most comunly the kynges, and they be kept
and ordeyned by the Chyeffe, and the Justices of
peace that be ordeyned and put in commysyon by
the kyng and his counsaile, and the pssues and
psofites of them are excepted by the sayde Justy-
ces, and returned into the kynges Escheaker, and
there they reste of recoorde, the whiche afterwarde
is extrepted agayne, and send downe to the Shy-
ryffes of euery country to leue and gather vp the
same, and therfore to make an accompt in the sayde
Escheaker, & it is called Grene ware. And þe count-
tes of the forestes be ordeyned & kept by the Justy-
ces of the forestes and theyr deputies, and the p-
ssues and psofites therof, the whiche cometh most
comunly by fynes and amercyamentes, are not ex-
created into the Escheaker, but made out by the
Stewarde to the baylyffes & other offycers of them
that oweth the forest. And there in cometh the
Duruepour maye syt wyth the Justices of the fo-
restes for one thyng speccallye, and that is this
that no towneshipp nor hamell enter comunen wyth
in the forestes, chales, wastes, hethes, mozes, and
suche other greate commens, but all onelye suche
that of ryghte oughte to haue comunen wythin the
same. Wherefore it wolde be ordeyned that euery
towneshippe and hamell, that oughte to haue any
suche comunen in anye forestes, chales, wastes,
mazes, hethes, and suche other greate commens,
where byuers towneshippes and hamells enter com-
men together euery towneshippe & hamell oughte
to haue a byuers byennye pion, and euery brast,
hoise, mare, and colte, that is put vpon the comen
ought

oughte to be bynned in some parte of his bodye with the sayde yron, and than shall euery beast be knowen of what towneshyp he is. And that were a great redynes vnto the keepers, and also a great sauegarde for stealyng of the cattell.

And than may the keepers, regarders, goysters, & other officers of suche forrestes and chases, haue perfyte knowledge, what towneshyp the cattell is of. And if any of the sayde officers fynde any maner of cattell, haupnge no such bynning, they may attache them, and cease them as stryes, and put them in sauegarde to the Lordes use, tyll they be pered and cryed. And they ought to aske them thre sondayes in thre or foure parrysche churches, and also cry them thre tymes in thre market townes, And yf no man come within the pere and the days and to make suffycient proue that the cattell is his than it is forsayte to the lord as a straye, and in lyke maner the swyne and shepe of euery towneshyp and hamell, ought to be pytched wyth the sayde bynnyng yron, or suche another lyke the same, but as for all other poyntes and artycles touchyng the forrestes, the Surueyours hath lytell to do, wherfore I remyt all other artycles to the Justyces of the forrestes, and to do theyr duties to execute theyr offyce, and ye shall knowe that no man shal haue a forreste of ryght but the kynge, except he or hys auncesters haue had a speciall graunt therof by charter of þ king & his progenytours in tymes past, & so vled, &c.

¶ Of churches that belong to þ gifte of the lord, howe many there be, & where they be, & what euery churche is worth, &c. Capit. xvi.

¶ Item inquirendum est de ecclesiis, que pertinent

Surveyinge.

ment ad donationem Domini, quot sunt, et ubi,
et quantum valent, et quantum, quilibet Eccle-
sia valet per se p̄ annum, secundum verā estimati-
onem illius.

It is to be enquired of all the
churches that belonge to the Lordes gyfte, howe
many there be, and where they be, and what they
be worthe, and what euery church is worth by it
selfe by the yere after the true estymacyon of the
same, The letter of thys chapter is very playne
and nedeth nat muche declaracyon further than
is spoken of, but alonely in one thyng, and that is
this, oft tyme he that hather yght to presente to
a church at one tyme, hather nat yght to present
to the sayd church at the nexte tyme. And that
is where any sole patrone of a church hath yssue
two, thre, or foure doughtes and decesse, so that
the yght of the patronage of the sayd church dis-
cendeth to all the sayd doughters, whā the church
is voyde, they shall presente by turne, the eldest
doughter fyrste, than the second at the nexte auoy-
dauunce, than the.iii. and so forth, tyll they haue
presented ones ouer, and than to begyn agayn at
the eldest doughter, excepte they make anye other
partycyon amonge them selfe by agremēte. And
than must euery one of them presente by theyr
tournie accordynge to theyr partycyō as it cometh
aboute. And so muste of the Surveyour make his
boke, accordynge to the yght of the presentacyon
as euery tyme, secōde tyme, thyrde tyme, or fourth
tyme, and so forth. Also what Lordes or Gentyl-
men haue theyr turneyse wyth them in the same
benefyce, and whych of them presented laste, and
who shall haue nexte, and who than, tyl they haue
gonz about, and in what towne it is, and in what
tylle

thyng and by oyle it is, and what euery benefyce is worth by it selfe by the yere, as it can be estymate.

What the herpyottes be worthe, the sayres, exchetes, customes, seruyces, and forreyne workes the ples and proquysytes of the courtes, fynes, relefes, and all other thynges that may fall vnto the Lozde by the yere. Cap. xvii.

Item Inquirendum est, quantum valent herpyottes, nundine, scacta, cōsuetudines, seruicium, et operationes sounsicce, et quantum valent placita et perquysite, fines, et reuela, et omnia alia que accidere possunt per annum in omnibus.

It is to be enquired, what be the value of herpyottes, sayres, exchetes, customes, seruyces, and forreyne workes, and what the ples be worthe, and the perquysytes or propytes of the Courtes, fynes, relefes, and all other thynges that maye fall by the yere in all. This chapter goeth in general tye, and is like, as whan an Auditoor hath cast al the mynyster and partyuler accomptes of euery baylyffe or reue and other accomptance, and hath made his boke partyte of all the partyuler, whers vpon the hole charge resteth. Than whan the lozde wolde knowe what the extente is of all his hole landes, and also of euery partyuler parcell by it selfe, it were to longe a proesse to shew hym all the sayde mynyster and partyuler accomptes, et thoughte he dyd, he shulde nat knowe the grose sommes of his reates, fynes, herpyottes, exchetes, perquysytes, et suche other, euery of them by hym selfe, wherfoze he wyl cause his Auditoor to make a value in maner of a bredgemente of all the sayde mynyster accomptes, and fynde to knowe the hole charge

Surueynge.

charge of al the hole parryculers, what they be at the fyrste syght, in the sommes totall, Than to deuyde the sommes totall in dyuers parcelles, as the chiefe rentes of the freholders bi them selfe, the rentes of customarpe tenauntes by them selfe, tenauntes by Indenture, or tenauntes at the Lordes wpll by them selfe, so that he maye make a grose somme of euery maner of rente, so that one rente maye be knowen from another. But than muste the Audytour haue good and parfyte informacyon, or els he cannat do it, and that informacyon muste come by the Surueyours and the baylyffes, for they ought to knowe one maner of rent from another, and therfore theyr rentalles wolde be made accordynge, also the perquesyties of the courtes by them selfe. And those muste be in like maner deuyded, as the Wlces by them selfe, the merccmentes for cominen trespass by them selfe, fynes by them selfe, herpottes by them selfe, excheques by them selfe, and so of relefes, feyres, marshettes, and all other casualtyes, euery of them by them selfe, and ought to be presented in the courte by them selfe. And therof to be made an estreyte to the Bayliff or reue to gather by, and brought into the accompte of the Audytour, the whiche he maye deuyde in makynge of his value, pf the accomptance bynng hym parfyte rentalles and courte rolles and nat cles; But pf they do nat at the fyrst tyme, he must teach and enforme them howe they shulde make them estreyte. And customes, seruyces, and workes be ofte times done by bodely seruyce, and workes, and than they be nat to be accompted for, but yet mencyon wolde be made in the accompt therof. And manye tymes
such

such maner of customes, seruyces, and workes be
 tourned into money. And than it commonly goth
 wth the rentes and the baylyffe or reue is char-
 ged ther wth. And thys chapter reherseth further
Et omnia alia que acciderem possint per annum
 in omnibus. And of al other thynges, that may fall
 the Lord, what they be worthe by the yere. And
 those may be take as mynes of tynne, leade, or co-
 le, yron, stone, fre stone, mylne stoncs, gryndel sto-
 nes, lyme stoncs, chalke fullers earthe, sand, cley,
 grauell, brome, goyse, or fyre, matle, turues, thorne
 wode, busches, herbe, ferne, or bzaiken, and such o-
 ther, yf there be any newe found and ought to be
 put in a rental to a certayne, or els to be put in
 accompte by waye of approuement. And than the
 Audytour maye deuyde the casualtyes from the
 certentyes, & to make a glose somme of them all.

And yet may the value of euery thyng appere and
 be knowen how much it is by it selfe. And than
 must there be deduct out of the sayd glose somme
 all maner of out rentes and ordynary charges as
 baylyes fees, reparacyon and such other, and thā
 to make a clere glose somme of euery yere by hym
 selfe. And by cause oft tymes moze casualtyes falle
 or come to þe lord moze in one yere than in ano-
 ther, therfore it is conuenient that the clere glose
 somme of .v. or syxe yeres or mo, wolde be caste to
 gyther in one glose somme, and to deuyde thae
 some in as many partes as ther was yeres cast to
 gyther, and than the cleare value of one yere wpll
 be commonly about þe some so deuyded. And thus
 endeth the bryfe declaracyon of thys Statute. *Ex
 senta menciis.*

¶ Explicit.

Of

Burneyfinge.
Cofpurers maner of takynge and
doynge of homage and fealtye.
Capitulo. xviii.



Lso much I haue shewed diuers
dyuersytes of tenures, and also di
uers maners of making of copies
and the othes of the officers of
courte, though they be nat expres
sed in the statute, me semeth also
it were conueniente to shewe the
dyuersytes & maner of takynge and doynge of homa
ge and fealtye. And ye shall vnderstande that ho
mage is the most honozable seruyce, and the moste
humble scrupce of reuerence, that a fre mā may do
to hys lord. For whan þ ternaunte shal do homage
to his chefe lord, of whome he holdeth hys chefe
maner or mancion place, by knyghtes scrupce and
pyspote, he shalbe vngryde, and his head vncones
red, and the lord shal syt, and the ternaunt shal kne
le before hym on both his knees, and shall hold his
handes stretched out to gyther bytwene the lordes
handes and shall say thus. I become your man
from this day forward, of lyfe and of membre, & of
worldly honour. And to you shalbe faythfull and
lowely, & shal brare fayth to you, for the landes &
tenementes the whyche I holde of you, sauyng þ
fayth þ I owe to our soueraygne lord the kynge
and my other lordes. And the lord so syttinge shal
kysse his ternaunt, the whyche is. pigne of parfite
loue. And why sayth the ternaunt, of lyfe and of
all worldly honour? Because he holdeth hys lan
des of his lord by knyghtes scrupce, & also by pys
pote, for and he holde otherlandes of another
lord

Lozde by knyghtes seruyce & possesseynte, he shall
 nat say to hym of lyfe and of membre, for though he
 he be bounde to hym by reason of his tenures of
 knyghtes seruyce, to goo to batayle with is Lozde
 and to putte hys lyfe and membres in leoparde
 with his lozde, yet can he nat go with them bothe.
 And therfore shall he go to batayle wpth that lozde
 that he holdeth his landes of by pzyoyte. And bys
 cause therof, yf any such tenant dye, hys herre bes
 inge wthin age, the lozde shal haue the keepyng of his
 body, and the pzyoyte of those landes that he hol
 den of hym, durynge the nonage and also the mas
 ryage of hym. Wherefore it is to be presupposed
 that the lozde well be moze loyng and kynde to
 hym, than any other of hys frendes wold be. Des
 yng that whan he cometh to full age, he shal put
 hys lyfe in leoparde for hys lozde, the whych byns
 both the Lozde by reason the rather to do for hym
 whan he is nat able to helpe hym selfe, where as
 his frendes may fortune cared nat for hym, and
 had leauer another had the lande than he.

¶ And yf an abbot, or a pzyour, or any other mā
 or woman of relygyon shuld do homage, they shal
 nat say, I become your man. &c. by cause they be al
 onely professyd to God to be his man and women
 and to none other. And therfore they shal knele
 and holde theyr handes as the other dyd, and saye
 thus. I do to you homage, and to you shall be
 faythfull and lowely, for the landes and tenemen
 tes whiche I holde of you, sauyng the fayth that
 I owe to our souerayne lozde the kyng. &c.

And yf a woman shuld do homage, she
 shall nat saye, I become your woman for it is nat
 conuenient, that a woman shuld be come wo
 man

Surueyng.

man to another man, thā to her husband, whan she is marryed, And therfore she shall say as the retygous men and women do. I do to you homage, &c.

¶ And yf a woman couerte wyth baron shall do homage, they shall knele before the Lorde bothe, and the Lorde shall take bothe theyr handes bytwene his handes, and the husbände shall speake all the wordes, as thus. We to you do homage, and sayth to you we shall beare for the landes that we holde of you, sauing the saythe that we owe to our souerayne lorde the kynge, his heires & to our other lordes, & they both shall kysse the lorde. &c.

¶ And in case a man shulde do homage vnto his Lorde, and the lorde graunte his homage and seruyce to another man. Nowe shall the tenaunte do his homage and seruyce to the grauntoure, after this maner. I become youre man from this daye forthe, and to you shall be saythfull and lowely, for the landes and tenementes that I holde of A. B. your grauntour, in the townes of C. D. & which he to you he hath graunted my homage, & seruyce in the sayd townes, sayng the sayth & I owe to our souerayne Lorde the kynge, & my other lordes. &c.

¶ And knowe you that one lorde maye haue done to hym dyuers homages of dyuers tenauntes, for one maners of land. But one tenaunt shall do but ones homage for one maner of lande, for though the lorde dye, his heire or his assigne, yf he sell it or graunt it awaye, they do represente the lordes estate. But and the tenaunt haue done his homage to his Lorde, and after the maner, wherof the tenaunt holdeth his landes is recouered agaynste the lorde. Nowe shall the tenaunte do his homage agayne to hym that recouered the maner, for he cometh

someth nat in, by þ lord, but by force of reconer,
the which proueth þ fyrst homage to be voyde, for
it was done to hym þ had no ryght to take it, &c.

Also ye shal knowe, that a man may distrayne
his tenauntes catell for homage by course of the
commen lawe, and also for relse. And thoughe a
man haue payed his relse, yet he shal do homage
and fealtie.

Also ye shal vnderstande, that no
man shal do homage, but he that hath a state of
inheritaunce in Fee simple or in Fee taylor, in his
owne right, or in his wiues, for tenaunt for terme
of lyfe, tenaunt by þ curtesie, nor tenaunt in dower
shal do no homage, nor take no homage. &c.

And yf a man holde landes of the kyng in chefe
and haue yssue thre or foure daughters and dye, al
the daughters shal do homage to the kyng. And
yf the landes beholde of another lord, the eldest
daughter shal do homage for all, & also þ seruyces
the other daughters shalbe contributoryes, & bear
every one of them theryn porcyon of the same.

And whan a free man shal do feaultye to his
lord, he shal laye his hande vpon the boke, and
shal say thus, here you my lord that I. W. D. de,
f. fro this day forth, to you shalbe faythfull and
lowly, and sayth to you shal beare for the landes
and tenementes that I clayme to holde of you, and
payally shal do and pay the rentes, customes, and
seruyces, þ I ought to do at the termes assigned
god me helpe al sayntes, & than kyss. &c.

Whan a villaine shal do feaultie to his lord, he
shal laye his handes vpon the boke and say thus.
here you my lord R. that. I. W. de. f. fro this
day forth to you shalbe faythfull and lowlye

f. i.

and

Surueyinge.

that I ought to do to you, for the landes that I holde of you in villenage, and I shall be iustifyable of body and of goodes, as God me helpe and his sayntes, and than kysse. &c.

When a villayne that holdeth no landes of the lord shall do fealtie, he shall ley his handes upon the boke and say thus. Here you my lord I that I. W. B. fro this daye forth to you shall be faythfull and lowly, and I shall be iustifyable to you of body and of goodes, as God me helpe and his sayntes, and kysse the boke. &c.

What a Surueyour shuld do. Ca. xix.

Nowe thys Statute is breuelye declared, wolde be vnderstand howe a lordshipp, or maner shulde be Surueyed & viewed, buttred & bounden on euery parte, that it may be knownen for a nyxtier, whose euery parcell therof was, at the makinge of this boke, and it maye serue as well to saue the inherytaunce of the Lordes as of euery fre holder by chapiter, copp holder, and customary holder, and to knowe euery mannes lande, as howe it lyeth to his house one from another, so that it may be knownen an hundreth yeres after, and for ayeuer, what maner of landes, and howe manye acres euery man had to his house at that tyme, and where they lye. The name of a Surueyour is an frenche name, and is as muche to say in Englysh as an ouerseer. Than it wold be knownen howe a Surueyour shuld ouerse or suruey a towne or a lordshipp. As and the cytie of London shulde be surueyed, the Surueyour maye nat stande at the gate. nor at Shoterhyll, nor yet at the Blackheath, nor suche other places, and onerloke the tye on euery syde. For and he do, he shal nat se the

good

goodly street, the sayde byldynges, nor the great
substance of ryches conteyned in them, for that
he maye be called a disceyver, and nat a Suruey-
oure. And in lyke wyse yf a man shall vieu a close
of a pasture, he may not loke ouer the hedge, and
go his waye, but he must outhere ryde or go ouer
and se euerye parcell therof, an to knowe howe
many acres it canteyneth, and howe muche ther-
of was medow grounde, howe muche pastura
ground, howe much woode grounde, or busche
grounde, hyshe, lynge, or suche other, and what
an acre of medowe grounde is worthe, and what
an acre of pasture, and what an acre of the wood
grounde or busche, and suche other be worth. And
what maner of cattell it is best for, and howe man-
ny cattell it wyll graffe or fynde by the yere, and
what a beastes graffe is worth by the yere in such
a pasture, or els he can nat set a true value what
it is worthe. And therfore a Surueyour muste be
myddylgent and laborous, and nat sloothful and re-
ckles, for and he be, he is nat worthy to haue hys
rate or wages, and maye fortune to make an vns-
dysparfyt booke. And yf he so do, it is to his shame
and rebuke, and great scopardye to hys soule to
make a falsse presydent, wherfore it is conueny-
ent to remembre the sayinge of the wyse phylo-
sopher. Adhuc curam. that is to saye, take hede
of thy charge, and so yf he shulde vieu a cytie or a
towne, he must begyn at a certayne place, as and
it were at the drawe bridge of London byrde on
the East syde, and there to make his tpytelynge
ack where he begynneth, and to shewe who is lord of
the house nexte vnto the sayde byrde and who
se the tenaunt. And yf he be a freholder, what chere

Surneyinge.

rent he payeth to the lord, customes or other seruyces, And yf it be no free holde, than the rent nedeth nat to be spoken of, but at his pleasure, for it may rise and fall. And howe many fote in byede, and howe many in lengthe. Than to the seconde house on the same East syde in lyke maner, and so to peruse from house to house, tyl he come to saint Magnus church. And than returne agayne to the sayd drawe byrde on the west syde, and there begyn at the house next to the sayd byrde, and so to peruse from house to house, tyll he come to the corner next Temmes strete, and than he may chos wether he wyl folowe the South syde of the said Temmes strete westward and Eastward, tyll he haue perused the hole parrysche. And yf ther be any maner of gardeynes, entrees, or aleys, or other dwelling places within forth, they may not be ouershypped, forgotten, nor left out, but taken by the way. Howe muche euery garden is, howe longe euery aley and entre is, and howe many dwelling places be therein, and whose they be, and how many cellers or tauerne thebe, and howe many fotes euery one of them be in lengthe and byede. And so to go from parrysche, to parrysche till he haue viewed the cytie, and euery strete & lane wolde be remembred what length and byede they be of. And also euery church & church yarde, and other boyde places whych wold aske a great leysse, but yet it is possyble to be done.

Howe a man shuld vlew, butte and bounde, the maner and the towne shyppe. Capit. xx.

The towne of Dale.

The vewe of the maner of Dale taken the tene daye of Maye, the .xliiij. yere of the reygne of Kyng

Bynge Henry the. viii. by. A. B. generall Surrey
our of the ryght honorable Lord C. D. Lorde of
the same, and by his commaundemente, and also
by the othes of E. F. G. H. and many other tenan
tes of the same, as here after ensueth.

The cytie of the maner of Dale standeth and
lyeth betwene the Bynge's hyghe waye leadynge
from the towne of A. vnto the towne of B. on the
South parte. and the churche parde of the same
to wne of Dale on the East syde, and the commen
felde of the same towne called the North felde on
the North parte. And the tenement of mese place of
Johh Coke in the west parte, and conteyneth. xc.
perches in brede and. xxx. perches and foure fote
in length, euery perche. xvi. fote & a half, wherby
is set the maner place sufficiente buylded wyth
two crosse chambers of stone, of brycke, or tym
bre, wyth all maner of houses of offyce wythin
forthe, and two barnes, and an ore house, and hey
house, and a stable, a gardeyne, and an Orche
yarde. And yf it be voted aboute, expresse howe
muche housynge standeth within the more, and
howe muche wythout, and wyth what maner of
couerynge the houses be covered. The whyche ma
ner wyth the demeyns landes, medowes, leysse,
and pastures be now in the holdynge and occupy
ynge of C. D. and payth by the yere, at foure ter
mes or two tymes the. s. x. by even porciōs
bi. li. viii. s. iiii. s.

The cytie of the personage standeth and lyeth
bytwene the sayde hyghe waye on the south parte
and the sayde churche in the weste parte, and the
sayde North felde on the North parte, and the te
nementes of A. C. on the East parte, And the said
F. iiii. perso

Duruepinge.

person haue a crofte lyinge bytwene the sayde North felde and the sayde church yerde on the south parte. And the sayd crosse and crofte containeth .x. perches on the southe side, and .xiii. perches on the North side, and .xx. perches in length on the East syde, and .xvi. perches and a halfe on the west syde. And the maner place and the houses there vnto belongynge, be nowe rygnouse and sayd W. B. is nowe person there, and hadde it of the gyfte of the lord, to whome the gyfte belongeth euery thyrde tyme and to J. F. the nexte tyme, and C. D. the thyrde tyme, and so as ofte as it falleth. And the sayd W. B. occupieth the sayd personage hym selfe, with all the glebe landes, meadowes, tythes, & al other fruytes, and is worth by the yere .xx. li. And in lyke maner of a bycarage, & than must ye shewe who is person, the whiche most commonly is a spiritual man.

¶ J. B. holdeth a messuage freely of the lord by charter, with dyuers landes, meadowes, and pastures belongynge to the same. The whiche messuage lyeth bytwene the sayde hyghe waye, and the sayde North felde, as is before sayde, and the sayd personage on the westeside, and the tenement or messuage of J. G. on the East parte, and containeth .xii. perches on the south ende in bredth and .xxii. perches and foure fote in length, and .xvi. perches in bredth on the North end and he holdeth the sayd messuage with all that lieth thereto, of the sayd lord by homage, scaltie, and .ii. s. by the yere and halfe a pound of Wyppre, and sutes of court from thre wikes to thre wikes, and to J. ii. great letes. And this he may expresse the scriver of the rente, yf he may haue a parfyte knowledge by the lordes

lordes pꝛesydence oꝝ by oꝝygenall dedes.

If G. holdeth a mese place wꝛth the appurtenaunce of the sayde lord at his wyll oꝝ by indenture oꝝ coppe, and it lyeth bytwene the sayde hꝛe way, and the Noꝛthe felde, and the foꝛesayd mese place of J. L. on the west syde, and the felde called East felde on the East syde conteyneth. xi. perches and syxe fote in bꝛede, and. xviij. perches and ten fote in lengthe. And payeth vnto the lord at the termes there vsuels. xvi. wyllinges luyte of court. ii. hennes, & an heerpotte at his decease. &c.

If G. H. holdeth a corage of the lord by coppe, and standeth bytwene the sayde hꝛe waye on the Noꝛthe syde, and the towne felde called the southe felde on the South part, and the sayd East felde on the East syde. And a mese place of the pꝛioure of B. on the west syde, and it conteyneth by the hꝛe way syxe perches, and at the southe ende. vii. perches and eyght fote, and on eyther syde. xii. perches, and payeth by the yere at the sayde termes xx. d. luyt of court and one henne.

The Pꝛioure and the couent of B. holdeth a mese place and a crofte wꝛth the appurtenaunce of the Lord feely in pure almes, and it lyeth bytwene the sayde corage in the holdyng of G. H. on the East syde, and a mese place, of the Lordes in the holdyng of C. D. on the West, and botteth vpon the sayd hꝛe way on the sayde South felde, and conteyneth in bꝛede by the sayd hꝛe way syxteene perches, and in lengthe twenty perches, and at the southe ende twelue perches in bꝛede & payeth to þe Lord half a pound of Pepper foꝛ all maner of seruys. &c.

If C. D. holdeth a mese place of the Lord by indenture

F. iiii.

venture

Surreyngge.

venture, and it lyeth bytwene the sayde tenement
of the priours on the East syde, and another hye
way that leadeth oz goth fro the forsayde church
oz personage, to the towne of S. on þ west syde
bytwene the forsayde hye waye on the North side
and the tenement of the lordes in the holdynge of
H. L. on the South syde, and it conteyneth .x. per
ches enery waye, and payeth by the yere .3c. luyte
of courte and herpyote. Also the sayd, S. C. hold
eth of the lord an hourse mylne nexte adioynnyng
to his sayd mase and the tenement of H. L. and is
contened bothe in length and in bryde within the
sayd .x. perches, wherof the Lord shall fynde all
the great tymber, and bynge it to the mylne, and
the mylner shall make al the cost, both of the house
and þ goyng geyze. And also he shall both thacke
danke at his owne coste & charge, & payth for the
same at the sayd termes syxe thyllynge, two hena
nes at Chyrtmas, and two capons at Pasche.

H. L. holdeth a tenement of the lord, and it ly
eth bytwene the sayde hourse mylne on the North
syde, and the sayd South felde on the south syde
and batteth vpon the sayd hye waye that leadeth
to S. on the west, and the crofte of the sayde pri
ours on the East, & conteyneth .xii. perches and 12
fote in bryde by the hye way .7. 12. perches in lēgth
to the sayde croft, and payeth at the termes a fore
sayde .x. s. two hennas at Chyrtmas, and luyte .3c.
H. M. holdeth a cotage of the lord at his wyl
and it lyeth bytwene the sayd hye waye that lea
deth to S. on the East syde, & a crofte of R. E. on
the west syde, & a felde called South felde on the
southe syde, & þ tenemēt of R. E. of þ North, & it
conteyneth in bryde. by the hye way fourc perches
in

in lengthe. vi. perches, and a halfe, and payeth. .xc.

CR. holdeth a tenement and a croft called the Swan frely by charter, and they lye vpon the corner bytwene the sayde two hoghe wapes, on the North and East, and a tenement of the Lordes, in the holdyng of W. L. and a medow called west medow on the west syde, and a cotage in the holdyng of B. D. and south felde on the southe syde. And it contayneth in it selfe. viii. perches square, and the crofte conteyneth. xii. perches in lengthe, and. vi. in brede, wherein be. v. buttes, of the which one butte is þe sayd pziour of. B. that is to say next vnto hedge on the west syde excepte one, and he holdeth the sayd tenement of þe lord by homage faultye, & a sparhawk for all maner of scrupce.

CW. L. holdeth a tenement of the lord lyenge bytwene the sayde tenement of. R. F. on the East syde, & the medowe called the west medow on the west and southe, & the sayd way that leadeth from A. to B. on þe North side, & conteyneth. xliii. perches in brede, and. xvi. in lenthe, and payeth. .xc.

CJ. L. holdeth a tenement of the lord & it lyeth bytwene the sayde maner place on the East syde and the west medowe on the west syde, and the North felde on the north syde, and the sayd way that leadeth from A. to B. on the southe syde, and conteyneth by the way seven perches, & in length ten perches, and payeth at the termes accustomed xii. s. vi. d. ii. hennes at Christmas, suyt of court and herryotte at hys decesse. .xc.

He that shall view, burke, and bounde landes or tenementes, by East, West, North, and South it is necessarye that he haue a Dial wyth him, for els and the sonne shyne nat, he shall nat haue per-

Surueyinge.

fyte knowledge whyche is East, west. North, and South. For many tymes the landes or medowes do nat alway lye eue East or west northe or south but somtyme moze of one parte than of another As South the East, or South the West, North the East or North the West and some two partes of the one and but the thyrde parte of the other, as North northest, North the north west, East North the east and east, South east, South south east, and south south West, and West south west, and West north the west. But it nedeth nat to a surueyours to take so narrowe a dyuersyte, but to butte it vpon the most parte as it lyeth, and than muste the dyal geue him perfite knowledge how it lyeth, and so muste he tytel it in his booke, as shal appere hereafter and he must stande in the myddes of the flat, whā he shal butte truely.

How a man shuld butte and bounde the felde. Capi. xxi.

The North felde vpon Dale furlonge.

The North felde lyeth on the North syde of the towne & begynneth at the crose at a furlonge called Walle furlonge, the whyche furlonge conteyneth .xx. landes and two headlandes, and they but on North & South, wherof the south endes but vpon the hall orcheyarde, and vpon the crofte of J. C. and the North endes but vpon Ryhyll. Than to begyn on the East syde nexte to to hye waye þe leadeth to .i. the person hath two landes the lordes thre landes .f. one land, .f. two landes, the Lord four landes, the pyoure two landes, the person one land, .xx. two landes W. C. one lande .v. one lande E. S. two landes, the pyoure thre landes, the lord two landes

G. H.

des G. H. one lande, the person on lande, the lord
two landes nexte to the west syde, and the heades
lande nexte to the haile or cheperde, and the other
head landes is the personnes next Archpl. and yf
the husbanddes haue perfyte knowledge which is
a rod and which is an halfe acre, than it we better
to saye the lord hath an acre, conteynyng the
landes are made in foure or fyue landes, and J. C.
halfe an acre made in two, and T. S. a rodde in
one lande, and yf it be lesse than a rodde, than call
it a but, howbest a man may perceyue and knowe
yf anye man make two landes of one lande, or of
one land make two landes, bycause of the certayn
nombze of euery statte.

¶ An furlange lyeth nexte to the same, and con-
teyneth. xxiij. landes, and one headlande at the o-
ther endes, and they lye East and West, and butte
vpon Dale furlande, at the nether endes, and on
the Southe syde nexte the personnes crofte. The
person hath the landes, the pyour. i. lande J. C.
two landes, the lord foure landes J. B. ii. landes
C. S. ii. landes H. L. one lande, G. H. one lād, F.
G. one lande, R. E. iii. landes, the pyour two lā-
des. P. M. i. laade, the lord hath the headlandes.

¶ Whethyll furlande lyeth nexte to the same hed-
landes, and it conteyneth. xxxvi. landes, and the
gares fother or pyke, and they be all one thyng,
and be called so. bycause they be brode in the one
end, and a sharpe pyke in the other ende, and they
be alwaye shorter than the other landes, and they
but vpon the sayde headlande of the lande at the
West ende, and vpon depe syche at the East ende
and to begyn at the North west syde of the sayde
flat, G. L. ii. landes C. S. ii. lādes. G. H. i. lād, y
lord

Surueyng.

lord. vi. landes, J. L. ii. landes, the person .iii. lādes W. L. ii. lādes & one pyke the ppyour, ii. lādes & i. pyke, f. G. ii. landes & i. pyke the lord. iiii. landes. R. E. iiii. landes. C. S. ii. lādes, G. D. ii. lādes, and the lord. iiii. landes next to the Southeast side. Then tourne agayne to Ric hill, that conteyneth. xxxvi. landes and two pykes, and but vpon Dale furlonge on the South endes, & vpon longe medow vpon the North west endes. Then on the South East syde next to the way, that leadeeth to A. the ppyour hath. ii. landes, G. D. i. land, the person two landes, J. B. ii. landes, f. G. ii. landes, & lord. iiii. lādes & ii. pykes. W. L. ii. lādes. R. E. iiii. lādes. C. S. ii. landes, D. M. two landes. D. J. ii. landes, the Lord the landes next to the balke, that the wyndmyll standeth vpon.

¶ P. M. the whych holdeth a cotage of the lord holdeth also the sayd Wyndmyllne, wher vnto al the Lordes tenauntes are bounde to grynde all theyr coyne & malte, & they occupy e of theyr owne at the sayd myllne as well free tenauntes as other and the lord shall fynde all maner of tymber, and yron worke, boorde and nayles, and byrig them to the myllne, and the myllner shall naye vp thys boorde, make hes shaft and the sayle yardes, vph old and reparell the spyndell and the rynde, the mylle pykes & the sayle clothes, cogge and ronge, at his owne propre cost & charge. Hal pay by yere. xx. s. at the termes there vsuell, & shal paye the Lordes coyne & malte tolle free, and shal paye it first, nexte to the coyne & is the hopper, & any be. &c.

¶ On the other syde of the Wyndmyllne balke lyeth a flatte called Depse hyll, and it conteyneth l. iiii. lande, and foure pykes, and one heade lande

of

of the whiche landes there be syre of them, that
by eake or cut in the myddle, of the landes, as shall
appere by the boundynge. And the sayde flatte lye
eth bytwene the common pastures, called the balk
an the Southeast, and the forsayd medowe, called
the longe medowe vpon the Northweste, and
nerte vnto the forsayd balke, J. C. hath. lii. lan-
des, the lord syre landes and a pyke, the persone
four landes and a pyke. J. B. four landes. f. G.
two landes and a pyke. W. C. thre landes. W. B.
li. landes at the upper ende nerte to the hedlande
D. N. the nether endes of the landes nerte to the
longe medowe, C. S. four lande, H. L. thre lan-
des at the head, and J. C. the nether endes of the
same, the pyour syre landes, the lord eyght lan-
des. J. B. thre landes, G. H. two landes and a
pyke, f. G. one land at the head, H. L. two landes
buttyng vpon the same. i. lande and vpon the me-
dowe the pson thre lades nerte to the Northeast
syde, and the pyour hath the headlande at the
head. And this me semeth shuld be suffyciente in-
struccyon for buttyng and bounden of all the fel-
des one after another. &c.

CHow a man shulde but and bound the
medowes. Capi. xxi.

The longe medowe belongeth to the
towneshippe of Dale.

The longe medowe lyeth vpon the North side
of the north side, bytwene the sayd felde &
the broke, & departeth the towneshippe of Dale,
and the towneshippe of Dale, and the west endes
butteth vpon the way that leadech to A. and the
Easte ende of the same medowe vpon a close of
the sayd Lordes, called the parke close, and con-
tyneth

Burnepinge.

leyneth. **C**.xlii. acres, this meadow lyeth in dyuers
 shotes of lengthe, sometyme in two shotes of lens
 gthe, sometyme in one, and sometyme in thre.
 Than to begin at the weste syde next to the hygh
 waye that goeth to. **A**. on the ouer shote, the Lord
 hath foure acres **J**. **C**. two acres and a halfe, the
 person thre acres **J**. **B**. two acres & a halfe **F**. **G**.
 thre acres, the pryoure four acres the lord epyghte
 acres, And on the nether shote next vnto the
 broke next vnto the sayde hyghe waye. **F**. **G**. ii. ac
 res, the pryoure four acres **F**. **H**. halfe an acre,
W. **C**. two acres and a halfe. **B**. **E**. syre acres, the
 Lord seuen acres. Than to the longe doles that
 butte fro the sayde **A**ozthe felde to the sayd broke
E. **S**. foure acres, the person thre acres, **J**. **C**. an
 acre and a halfe **J**. **B**. an acre and a halfe, the lord
 syre acres **P**. **D**. thre acres, **H**. **A**. thre acres. And
 at the nether ende of the sayde thre acres **J**. **B**.
 lord of Dale hath attached his wiere of the milne
 of Dale, for the whiche attachement the sayde. **J**
B. payeth to the lord of Dale and to hys heires
 euery yere two chyllinges at the feaste of saynete
 Wyghele the archaungell, for all maner of seru
 uice. **ic**. Than to the ouer shote nexte the sayde
 felde, **G**. **H**. an acre and a rodde. **W**. **C**. thre rods
 des. **B**. **E**. an halfe acre, the lord two acres the per
 son halfe an acre, **P**. **D**. halfe an acre, the pryoure
 two acres and a halfe, **J**. **C**. two acres, the lord four
 acres **E**. **S**. two acres nexte to the Darke close.
 Than to the myddell shote nexte to the long doles
F. **G**. an acre, the person thre acres, **J**. **B**. two ac
 res, the Lord foure acres, **H**. **A**. two acres, the
 pryoure four acres nexte to the sayde park close
 Than to the nethermoste shote nexte the broke on
 the

the syde next to the longe doles, the person t wo a c
res, R. 7. the acres, the lorde foure acres and a
halfe. G. D. halfe an acre, the pyoure two acres,
W. L. ii. acres and a halfe, J. L. halfe an acre,
C. S. two acres, J. B. ii. acres in the coznet next
to the sayde parke close, and butteth vpon the
sayde broke. And if there be any moze medowes
than butte and bounde thē in lyke maner, for the
mo medowes there be and the fewer hottes, the
better maye they be bounde, for medowes goo
moost commonly by acres, halfe acres and rodde
and they ought to be well staked bytwene euerye
mannes dole, and specially wel stoned with great
stones bytwene, and set on a great heght that
they synke nat farre into the earthe, for the pro
pertye of a stone is to dyscende downewarde, and
the propertye of earthe to ascende vpward. Ther
fore they wold be taken hede vnto betyme & amē
ded whā mede is. And this me semeth is suffycient.

CHow a man shulde bette and bounde
hys pastures. Cap. xxiii.

The pastures belongynge to the same towne.
The Lorde hath a close called parke close, and
it conterneth. xxx. acres, and it lyeth bytwene
the sayd medowe called longe medowe on y west
parte, & a close of the persons called Dehey on the
East part, & the sayd broke on the North part, & a
felde called East felde on the southe parte, and it
is worthe by the per. .xx. myllyns &c.

The person hath a close next to the same called
Dehey, & it conterneth. x. acres & lyeth bytwene y
parke close on the West part & a close of. J. B. on
the East syde, & the sayde broke on the Northeast
parte, and a felde called East felde on the West
part

Surueyinge.

part. I do nat value it, bycause it is nat the lordes
the quantite of the acres therein is sufficient. &c.

The sayde J. B. holdeth a lytell croft frely, be-
longynge to the tenement called Rye crofte, and
conteyneth two acres, and lyeth bytwene the said
persons close on the west syde, and the same that
goeth towards R. on the Southeaste syde, & but-
teth vpon the hye waye that cometh from D. to
the sayde towne of Sale on the Northeast side, &
the sayd East felde on the Weste parte. I set it at
no value, bycause he is a fre holder, and ronnethe
in the chefe rentes of his house, but and if it be gy-
uen to the freholder by another dede, thā must the
Surueour expresse the chefe rēt therof by it self,
And it is the most speyal poynt of a Surueour
fyrst to avseu but & boude, bothe the towne & the
hole lordshipp, or euer he desyre to se or loke vpon
any eyndēce of any freholders. For this fyrst don
the Surueour may than parfytly know whether
the freholder shewe his eyndēce for all his land or
nat, & let the Surueour haue good remembraunce
what parcels of lādes be cōteyned in the said eyndē-
dēce. And thā may he wel pceyue whether he shew
for all or nat. And yf the dedes be shewed fyrst, the
tenaūt may say there is for all his land, & the sur-
ueour cannat controlle hym nor say nay. &c.

The sayde J. B. holdeth a crofte of the lordes, lyinge next
on the other syde of the said Rye crofte, & called Gose croft
& conteyneth two acres & a half, & butteth vpon
the sayd hye waye on the Northeast side, & the said
East felde on the west parte. &c. And thus ye may
peruse, butte and boude all the croftes closes, & pa-
stures aboue the towne & wīn the lordshipp, whose
soever they be. And to expresse euery hye waye, or
crofte

crofte, comen balke, or marle pye, where they lye
the whiche shalbe a greate redynesse manys yerres
hereafter, And yf there be any comen pastures
where herdmen kept theyr catell, or any comen wod-
des, mores, hethes or suche other, they may nat be
forgotten to be butted and bounde as they lye. &c.

How a man shuld amend careable
lande, Capitulo. xxiij.

It is conuenient, that an husbunde kepe hye
careable land lying round, yf it be nat to hight in
the rygge, nor to lowe in the myddes of the sydes,
nor to hyghe a lytell fro the rayne, for than wyl
the water stande in the sydes of the landes and
drowne the corne. And though there be no corne
yet wereth the grounde and maketh it leane, for
standynge water dystroyeth grasse, and therfore
it muste nedes dystroy corne, the whiche is muche
more tenderer than the grasse. And yf it so be, than
take thy ploughe, and begynne to plowe a forowe
in the myddes of the syde of the lande, and cast it
downe, as and thou shuldest falowe it, and so per-
use bothe sydes tyll the rygge be cast downe, and
than take thy plough agayne and begyn to plowe
where thou dydest plowe fyrste and rygge all the
remeynant vwarde, & so shalt thou both cast thy
landes and rygge them, and all at one plowynge.
And thys wyl make the lande to lye rounde, the
whiche is good both for corne and grasse. &c.

Another maner of mendynge of careable land
is to mulke it, marle it, lyme it, or dunge, wth the
carte or wayne, and as I sayd in the boke of hus-
bandrie, to set the dunge vpon the fyrste sturynge
whan it is rygged, for that is best for manys caus-
es & yf thou laye it vpon the falowynge, than see

Durueysinge.

Why muche hept in the reyne of the lande and than
spede it, and all that falleth in the ryg cast it out a
gayne for els it doth but lytell good, for it wyl be
couered with earthe, and seldome sene agayne. &c.

Another maner of mendyng of earable land, is
to set thy shepe folde vpon it, and to flyt it euery
day, and it is better vpon the sturpynge, than v
pon the salow, and the shepe folde is better vpon
the Rye ground, than vpon the wheat ground.

Another maner, whan a husbunde hath muche
earable land, and hath no donge nor shepe to com
post nor donge hys lande withall. Than lette the
husbunde take his ploughe, and cast all suche lan
des thre or foure tymes to gyther, and make the
ryg there as the rayne was before. And yf the
landes be so bzode whan it is so cast downe, than
rygge eyther syde by it selfe, and so make .ii. lands
des of one lande, or thre landes of .ii. landes. And
so shall he fynde new molde that was nat sene in
an hundred yeres before, the whyche must nedes
gyue moze cozne than the other dyd before. &c.

Howe a man shuld amende hys
medowes. Capit. xlv.

So that ther be no holdy warpes cast
in the medowes, and yf there be in Aprill
let them be spred & beat small. And this
is best way to spede them and make them small.
To take a great bough of a tre, and to plashe
bowes abrode and laye them lowe, and yf they be
nat bzode ynoughe, than take other small bowes
and bynd them fast to the same, and to lay a tre
two ouer wharte the bowes, to holde them downe
flatte to the carthe, and to bynde the trees to the
bowes that it fall nat of. And than to booz

hose wyth an auger in the great boughes ende, or
els to tye a rope fast to all the boughes endes to ge
ther, and to caste the teme of the same, and wryth
oxen, or horses to drawe the sayde boughes, bothe
vp and downe: & ouerwhart the sayd moldwarpe
hylls, the which shall sprede them better than any
mans handes can do, and that shall refrefhe the
grasse and make the medowes much better, &c.

¶ Another maner of mendynge of medowes is,
yf there be any runnyng water or lande flodde,
that may be set or brought to ronne ouer the me
dowes, from the tyme that they be mowen vnto
the begynnynge of May, and they wyll be muche
the better, and it shall kyl, drowne, & dryue away
the Moldwarpes, and fyll vp the lowe places
wiche sandes and make the ground euē and good
to mowe. All maner of waters be good, so that
they stande nat styll vpon grounde. But specy
ally that water that cometh out of a towne from
euery mannes myddynge or donghyll is best, and
wyll make the medowes most rankest. And fro the
begynnynge of May tyll the medowes be mowen
& the hay gotten in the waters woulde be set by a
conne another way for dyuers cōsyderacyons. &c.

¶ To amend and make better, dyuers
maners of pastures.

¶ It is vndoubted that there be dyuers maners
of pastures, as some grounde lyke medowe
ground, ley ground, &c. whiche hath ben earable
ground of late, busshy ground, the which sometime
hath ben earable ground, busshy ground the whiche
was neuer earable ground, gozsty ground, the
whiche hath ben earable ground, gozsty ground
the which was neuer earable. Some grounde

Barneyng.

hethe ground, marph ground, chalke ground, synny
ground, chylterne ground, & lymstone ground. &c.

C To amende lowe ground lyke
medowe grounde.

Ye shall do by it, as I haue shewed you in the
nexte chapiter before of your medowes, and yf as
ny water stande styll and wyll nat boyde, make a
dyche two or thre, as nede shall requyre. and by
the sydes of the dyche that the water maye come
into it. Conuey the water awaye, and wyth a
ploughe make dyuers fozowes from the sayd dy-
che by into the pasture. where the water standeth
and wyth a Carte, a wayne, or a sterde, cart away
the earthe that the ploughe tourneth by, or els if
wyll stoppe the water on the on syde, and yf the
ploughe fozowe be to lytell, thā make diuers smal-
le dyches, and open them on bothe sydes, so that
thou leaue no water standyng in the pasture no
tyme of the yere. And mylche kyz, draught Oxen,
labouryng hoxses, and mares, be most conuenyent
to go to gyther in such pastures.

C How to amende ley grounde. the which hath
ben earable lande of late. Ca. xxvii.

C Ye must take hede how the leyse lye, and spe-
cially that they lie nat to highe, for and they do so
is moze profite to the husband to cast it downe as
gayne, and sowe it with otes one yere, two or. iiii.
and to ley it lower and rounde in good temper, &
se that no water stande at the landes endes but
tryng on the headlandes, & yf it so do, than wyth a
ploughe cast a fozowe toward þe hedlādes & than
the water wyll folow that fozowe and make the
landes drye. But that fozow wyll nat serue paste
one or two yeres, but it must be renewed. And yf
it

It waxe mosse in winter, than wold it be plowed
agayne and sown with dyuers cornes, as the
grounde requyeth. And at the fyrste plowynge
it wolde be plowed a square fozowe, as depz as it
is bzode and layd flatte and sown wyth otes, þ
the mosse may rotte, and than to lye salowe one
pere, and than to be sown with wheat, Rye, oz
Barley, as the husbände thynketh moost conue-
nyent. And yf it shulde lye salowe the fyrst pere
the mosse wyl nat rotte, and at wynter it wyl be
wetter and dzowne all the wheat and Rye that it
toucheth. And yf a man haue plenty of suche pas-
ture that wold be mosse euerye thze pere let hym
bzeake vp a newe pese of ground', and ploughe it
and sowe it (as I haue sayd befoze) and he shall
haue plenty of corne wyth lptel dongyng and sow
it no longer than it wyl beare plenty of corne w
out donge, and it wyl beare muche better grasse
ten oz. xlii. pere after. And yf the leyse be to bzode,
than make two lades of one lade (as I haue sayd
befoze) And the pe are the most conuenient catell
that may go on suche pasture, and best they wyl a-
mende the grasse, & to take good hede þ ye suffer
neither bzeres, noz blacke thornes, noz none other
maner of busches to grow in your pastures, and
specyally by the hedges. &c

¶ How to amend busche grounde and mosse, that
hath ben earable lant of olde tyme. Ca. xxviii.

¶ There is none other reinedye, but to stocke &
get vp the busches by the rotes, and þ lande
plowed and sown (as I haue sayd befoze) the
reft grounde yf it be dye wyl byyng muche corn
foz the mosse wyl rot, and the mole byplokes wyl
amende the grounde well. And yf there be an

Gill.

marly

Durueynges.

marle pyttes, that haue bene made of olde tyme
withyn the same close, than whan the landes be-
gin to weare, yf he haue nat suffycient of such
busshy and mossy ground to breake vp and some
than there wolde be new marle pyttes made & the
landes newe marled, the whyche is muche better
than eyther donge, mucke, oz lyme, for it wyll last
twentye yeres to gyther. yf it be well done, and
shalbe the better whyle it is lande. And I may
saye greatly that in the common felde, where of
olde tyme hath ben made manye great marle pyt-
tes, the whyche hath done much good to the lan-
des, that now a dayes no man doth occupy them
he make none other, and they nede not to doubt,
But there is marle now as well as was than, but
as me semeth there be two causes why, one is, the
tenantes be so doubtful of the landlozdes that
yf they shoulde marle and make the holdynges
muche better, they feare lest they shulde be put
out, oz make a great fyne, oz els to paye more rent
And yf a lord so do, me semeth he is vnrasonable
seyng that it was done all at the costes of his tes-
nautes, and nat at hys. The seconde cause is,
that men be dysposed to ydelnesse, and wyll nat
laboure, as they haue done in tymes past put passe
for the hys tyme as hys father dyd before hym, but
yet me semeth a freholder shuld nat be of that con-
dicion, for he is in a surety. hys chefe lord can
nat put hym out doyng his duetye. And he know-
eth well, he shal take the profyte whyle he ly-
ueth, and his heires after hym, a cozage to improue
his owne, the whiche is as good as and he had
purchased as much as the improuements cometh
to. And one man thys doyng, wolde gyue othere

other men coage and a good example to folowe the same. And all other countreys may take ensample at Chester chyre, and Lancaster chyre, for manye of them that haue so done haue made the improuement as good as the lāde was before. &c.

Chowe a man shulde amende busshye grounde that was neuer carable lande. **L. xxii.**

Cye muste consyder what the grounde is dysposed vnto, and whither it be drye or wete, or be disposed to beare wode grasse or cozne. If it be drye and full of grauell, it is better to beare wode, than other cozne or grasse. If it be weate grounde, it is nat good for cozne, but it wyl beare bothe wode and grasse. But and it be a blacke earth and drye it is good for cozn, and it wyl quyte the coste to stocke it vpon by the rootes, and to sowe it wyth cozne. And yf it be whyte cleve, it is more comenly a weate ground, and than it is not good for cozne, but it wyl beare both wode and grasse and an acre of wode, is as good as an acre of cozne grounde, or of grasse, and in some places muche better. And yf ye wyl encrease the sayde busshye ground, and to make more wode, than by twene Myghelmas and Martinmas, ye must gather manye akeshornes, and put them in earthen pottes for those wyl kepe them moyste, and in February and Marche set the sayde akeshornes in the sayd busshes, as thicke as ye wyl, and vnder which they wyl grow. And also ye maye gette the keyes of ashes, rushes, and suche other and set the in lyke maner, and to kepe al maner of cattel that wyl eat any wode out of the same grounde yf it be past danger of cattell. &c.

Chowe to amende wode grounde that lyeth in severall pasture. **L. xxiii.**

Durseyinge.

If they be great olde trees, yf ye sell them by the earthe, there wyll neuer come anye spynges of them vpon agayne, except they haue many smalle pumple and spynges about the rotes. And therfore suche olde trees wolde be but lopped & cropped to beare moze woode styll and yf it be a good grounde to beare corne, and be but a fewe trees, than it were best to stocke them vpon by the rotes, and to plowe it and sowe it. And yf it be but yonge wode, ye maye chose whether ye wyl sheede it, loppe it, or crosse it, or sell it by the earth. And yf ye sell it by the earthe, & kepe the spynges wel ye shall haue for euery tre. ii. or iii. trees, so that it be feld at a dewe season of the yere, & is bytwene Landelmas and Maye, wherof I haue spokē sufficiently ynoughe in the booke of Husbandrye.

How to amende gozly ground that hath ben carable lande. Capi. xxxi.

The shall vnderstande that there be. ii. maner of gozse, and some men call them fyse. One maner wyll grow on the drye grounde, and that maner wyll grow as hyghe as a man, and haue a great stalke, as much as a walkyng staffe, and yf ye wyll suffer them to growe and sel theym nat, by proceste of tyme whan beastes go among them, and specially in wynter tyme for colde, and in sommer for shade, that wyll cause them to dye. And many tymes and longe contynuall froste in wynter wyll kyll all these maner of gozse, and whan they be deade, yf ye plowe the lande agayne and sowe it with corne, whan it lyeth ley agayne, the gozse wyll growe agayne. And the best remedy for growyng agayne, to put on suche maner of pasture many shepe to eat it bare, but in many

many places they set greate stoze by those maner of gozse, and specially for theyr fewell, and wolde nat gyue an acre of gozsty lande for two acres of earable lande. And on the maner of gozsty lande wolde growe good cozne wyth lytell dongue, and it is moze piosyte to plowe it and sowe it, than to lye ley, excepte he kepe it for his fewell, and they growe most comunly vpon drye grounde, some what sandy or grauelly, and there is the most conuenient catell that may go vpon such pasture.

How to amende gozsty lande, that was neuer earable lade. Ca. xxii.

If the ground be drye, and growe full of suche maner of gozse with the great stalke, ye be at your lybertye to do as I haue sayde, & yf it be of the other maner of gozse or fyse, the whych growe lowe by the earth, & haue but lytel small stalkes, þat maner of gozse groweth alwaye on wellpzig grounde, somewhat moyst and weat, & it wyl neuer beare good cozne, but hewe it vp to bake & breme wyth, all for it wyl nat lyghtly be destroyed, for yf it be bren it wyl growe agayne. But and there be marle vnderneath in the ground wythin the same close yf ye make colt, than bren the Gozse at Marches and wyth a bygge and many oxen, plowe it and make smalle lades, and than marle them and sowe them with Otes, for that cozne wyl growe beste on suche ground. And yf this wyl nat serue it is paste remedye, for Marle mendeth all maner of ground but it is costly. &c.

How to amende Brome ground. Ca. xxiii.

Brome groweth alway vpon dry and sandye grounde, and it wyl beare good Rye & Otes but it wyl nat endure to beare cozne longe wyth out

Turneyinge.

out it be donged wth the carte o^r wth the shepe
fold, o^r bothe. And yf ye let it lye and plowe it nat
the brome wyl come agayne, and shepe is the best
catell to holde it vnder, but neuerthelesse it wyl
growe, and whan it is grown of a yerde of heith
o^r moze, than it is good to ake and bzeue wth,
and specially whan a huse is thacked to take y
brome and make it in quarters of a yerde long o^r
there aboute, and pycke them into the thacks by
and by, and couer the thacke cleane ouer, and it
shall bothe kepe out weate and also saue it from
pullynge downe wth crows, pyes, dawes, o^r
choughes. And yf ye wold destroy it whan it is
grown thze o^r foure fote of hyght, than aboute
saynte James day fell it a fote aboute the earthe
o^r moze, and than the stalke wyl dye for a good
season, but yf it be plowed agayne, it wyl growe
as fast as euer it dyd, whan ye leaue plowynge.

Howe to amende hethy ground. Capi. xxxiii.

Tye shall vnderstande that there be foure ma-
ners of hethy groundes. s. herhe growynge vpon
grauel, and herhe growing vpon sande these two
maner of hethye groundes wyl beate no cozne
wthout much donge o^r mucke, for seldome is
there any marle vnder that maner of herhe. And
in many countreys where plenty of lyme stone is
the husbendes do bzen the lyme stone wth wode
and secole, and make lyme therof, and do set it v-
pon theyr landes as they do hery donge, and do
sprede it in lyke maner, the whych they call much
better than donge, for lyme is hote of hym selfe.

The other two maners of hethye is hethye grow-
ynge vpon whyte cley grounde, and hethye grows
ynge vpon blacke earthe, that lyeth lowe lyke
marre

marrys grounde, and vnderneath these two maner of heythe groundes, there lyeth most commenslyp marle. Than byenne the heythe and serche for the marle, and dygge it vp and ley it thynke vpon the ground and sprede it, and than plowe it and sowe it, & it is much better then other lyme, muche or any maner of dunge, and longer it wyl last, and se that there be no water standynge vpon the said ground. .i.c.

¶ Howe to amende marrys ground. Cap. xxxv,
There is none other remedy, but fyrst to dryne the water cleane away. And thys is a good meane to drye the water cleane away. fyrst in the lowest close where the water may be best auoyded make a greate dyche and a depe that the water may auoyde, And yf all the water wyl nat come to that great dyche, but to stande styll in dyuers places, than make many small dyches one into another, from the standyng waters, so that all these standyng waters maye come into the great dyche and that by reason shuld drye the water cleane. And in a dry sommer ye may make many brode and depe dyches and seuer the marrys in dyuers pastures, and make byddges ouer the dyches into every close, and dyuers lanes made lyke a causeye to conuey the cattell into the pastures, so that one causey or lane, maye serue the closes or pastures on bothe sydes. And in the lowest place of euery close, or pasture, make a trenche or a lytell dyche into the great dyche that gothe about. And thys shall ye make by proceffe good pastures of marrys grounde, and euer the lenger the better pastures, and specially yf ye put in so muche catell, it shall make the better grasse and the lyner. And melche
 hye

Surueyinge.

hye draught Oren, and labouryng hofses, is the best catell to make good pasture on mares grounde and shepe on dyse grounde, for they wylle ate the grounde most barck and that causeth the grasse to be good & fyne. And yf this maner of dythynge wyl nat make the mares ground dyse, than muste you make a foughe vnderneath the earthe, as men do to get cole, yron, stone, leade, oz tynne. And yf yf that wyl nat serue, than kepe out poure catell for feare of drownyng. &c.

How to amende Brome ground and fearny grounde. Capl. xxxvi.

Brome ground, and fearny grounde, be much of one nature, for they growe on sandy and depe grounde. And they wylle beare good Rye, barley, bygge, oz heye, and Otes, yf they be donged wth shepe, carte, oz wayne.

For such lyght grounde wylle soone weare and washe wth water, yf it be nat donged. And yf they lye unplowed, they wylle growe full of brome and fearne, & yf ye wyl destroy the brome whan it is growen thye oz foure fote hie. In mydsomer moone oz sone after whan it is full blomed, wth a hedgynge byll cut the stalkes halfe a yarde aboue the earth, so that ye leaue no grene stalke growynge vpon the rote, and that wylle cause it to dye. But and ye plowe it agayne and after let it lye, it wylle growe agayne, and yf ye mowe fearne whan it is ponge, so yf it be mowed befoze Mydsommer by vse of such mowynge, it wylle weare away.

Of chylturne grounde & linte ground and chalke grounde, Ca. xxxvii.

Chylturne grounde and flyntye grounde. be lyght groundes and dyse, & full of smal stones. and

and chalke ground is muche of the same nature & they wyl weare and waste away wylh water. And therfoze they wold be donged, as the brome and fearnye groundes be, for marle is seldome founde in these maner of groundes. And therfoze yf ye wante shepe and donge, they wolde ley and rest the, that they may mende wylh lyeing.

C Of lyme stone ground. Capl. xxxviii

L ymestone ground is verye good, bothe for cozne and grasse, and yet in some place there wyl much heye grow vpon lymestone ground and that is long of euyl husbandry. For and that heys th were byenned plowed, and sowed the fyrste yere wylh Oes, and than fallowed and sowed wylh wheate, Rye, and Barley, and after wylh Beans or Peas, it wyl beare much cozne wylh lytel dog and shall beare alwaye after the better grasse.

And shepe is the beste catell that can go vpon any of those lyxe maner of groundes, and best they wyl amende the grasse, & kepe the selfe from rottinge. And he that hath lymestone may byen it wylh cole and wode & make lyme, wherw he maye lyme his grounde, & that wyl bynge good cozne, or he may sell his lyme at his pleasure.

W hat profyte may come or growe to þ Lord by reason of his waters. Ca. xlix.

F yst ye shal vnderstand, that there be dyuers maner of water. Is to say, standyng waters as pooles, meyes, or mores, and strewes, And also runnyng waters, as great ryuers, smalle ryuers, brokes, luches, wellspringes, and pities, thā what profyte may come to the lord of them.

The lord may set the fyllhynges of all the sayde waters to his tenantes for certayne rent, & he may reserue

Surseyngt.

reserue to hym selfe certayne tyme, or to certayne tymes, or at any tyme at hys pleasure.

The maner to make dyuers maners of mylnes. Capit. xl.

Also vpon these waters, the lord may set dyuers maner of mylnes, the whyche maye be to the lordes great ease & profite. As vpon the great ryuers, comyn mylnes, that be called grounde mylnes, & they be called grounde mylnes, because the ouer syde of the heade spile lyeth euen wth the ouer syde of the ground in the bottō of the water. And also fullynge milnes, other wyse called walke milnes, maye be made in lyke maner, & stande also vpon the great ryuers. And than one whele is able to dyue two stocks & is to say, bothe a potyere & a faller the faller bothe to succoure & herely, & the potyere to thynke & clothe. And comenly these milnes be nat set vpon the great streames of great ryuers but a great part of the waters is conueyd out of & great streame by a mylne steme made with mans hand to a certayne place, where wyse men thynke the mylne most conuenient to be set, and & sayde water to be holden vp & brought to & sayde mylne by reason and sytynge of a wepze ouerthwarte the said streame, made of trouse, timber, or stone or of bothe. And whan it is past the mylne with a suffeyent fall of the water, that the mylne stand nat in a backe water, & retourne into the ryuer agayne. And in many places the sayde milnes be set on the one syde of the great ryuer, & a wepze made of & tymbre and stone to holde vp the water so the mylne, the whyche is a great cost, and many tyme it wyll stande in lacke of water that it maye nat go well at a greate flode, excepte the grounde
workes

worke be made very hie. But they be profitable
 bothe in gryndynge of corne and fullynge of cloth
 and in takynge of much fische. And in lyke ma-
 ner these sayd two maner of mylnes maye be set
 vpon smallc rpuers, wpythout any flem castynge,
 but all onelye hys weyze to holde by the water,
 and his fode gates to let it go at a fode, whan
 neede shall requyre. Also there be two maner of
 corne mylnes, that is to saye, a byeste mylne, and
 an ouerhote mylne, and those two maner of myl-
 nes be set and go moste commenlye vpon smallc
 brokes, and vpon great pooles and meyes. And
 they haue alwaye a byode bowe a fote byode and
 moze, and the ladelles be alwaye shodded wpyth
 compaste bordes on bothe sydes to holde in the
 water, and than they be called buckettes. And
 they muste be set muche nerer to gyther than the
 ladelles be, and muche moze a slope downewarde
 to holde muche water that it fall nat oute, for it
 bypueth the whele as well wpyth the weyght of the
 water as wpyth the strength. And the mylner must
 drawe hys water accordyng to his buckettes, that
 they may be alway full and no moze for the lenger
 that they hold the water the better they be. Also
 another maner of fallinge mylnes, may be set and
 go vpon the sayd smallc brokes, pooles, or meys
 es and those be called fallers, for a faller by hym
 self requyrez nat so great strengthe of water as
 the potper doth, because the water cometh most
 comenly ouer the whele, and y braces do but hene
 vpon the two fete that fall into the stocke vpon the
 cloth, the whych causeth the clothe to thyeke and
 fourne. Also these mylnes that be set and go on
 smale waters, may go and rone wpyth a gogyn of
 iron

Burneyng.

yzon vpon bulder stones, or vpon brasse as a bell
doth, for that wyl go most lyghtest. But these mis-
nes that go vpon these great riuers, that be brode
heny, and weyghey, must nedes haue two greate
thynke hoppes of yzon foure ynchesse brode, and
an ynche thynke, and eyght or nyne ynches bitwe-
ne the spydes, set on bothe endes of the shafte, for
gogyn of yzon wyl nat beare them and speciallye
the fullynge mylne. And that mylne that goeth w-
a gogyn, yet must it haue on eyther ende of the
shaft a hope of yzon and bulders vnder, and yf the
gogyn fayle or waxe lose, but it shall nat touche
them bothe at one. And let the mylner take good
hede bothe to the gogyns, and hoopes that they
be nat lose, for than wyl the shafte endes byenne
of. For than he hurteth his lordes, his mayster,
or hym selfe, for mylne shaftes be costlye.
But in so muche as there is great profyte to the
lordes in makynge of thes mylnes, and the mooste
rente is reysed vpon so lytell grounde and ofte ty-
mes for wante of the sede of dyscrecyon and expen-
cyence of good makynge, there be many defaultes
made in them, and speciallye in makynge of the
mylne troughe, where the mylne whele goeth, for
ofte tymes they make it to holowe and depe
vnder the whele, that the water standeth there
in whan the mylne goeth nat, for the tayle spylt
would lye bare and drye whan the mylne goethe
nat. And the tayle spylt wolde be twentye ynches
or xliiii. vnder the head spylt, and the troughe
wolde nat passe foure ynthes holowe at the moost
and as longe as it may receyue thre laddes, the
fourthe laddell entreynge the water, and the fyfthe
laddell leaunge the water. And the strake sylles
bothe

bothe aboue and vnder wolde be of good lengthe
so that the whele come nat nyghe to the draught
gate by two fote or moze, for the further from the
gate, the bygger and the swyfter is the streame.

And the longer that the ladell is, the better it is,
so that it haue suffycent water. And than the
mynce nedeth nat to drawe by bys gate so hyghe
as and the ladell be thoste, for the ebbier the water
is, and the swyfter it is. And a double bowed whe-
le is muche better than a synge bowed whele for
many causes, yf there be suffycent water: and bee-
ter it wyll kepe the ladelles from losynge. The las-
dell mooste commenlye of a double bowed whele
wolde be thye fote longe and a fote brode, and to
drawe by his draught gate nyne or tenne ynches
is suffycent. And than shall nat the bowe of the
whele be byd nor couered in the water, and than
it gothe swyflye. And vpon the great ryuers the
ladelles maye be an elne longe, but for the weyghe
and drawynge by of the draughte gate. &c. The
greater compasse the whele is, the lasse water
wyll dysue it, but it wyll nat go so ofte aboute as
a lytell whele wyll do. But the cogge whele in a
cozne myne is a great helpe, yf it be well pyched
well cogged, and well roned, syre rones, and.
xlvi. cogges, are beste for a great ryuerre.

For than the myle stone goth eghyt tymes aboute
and the water whele but ones, and euerye ronge
kepeth his owne cogge (et contra) and chaun-
geth nat on any syde. And for a meane water syre
rongs and. xlii. cogges is beste. And for the ouer
hozt myne syre rongs and. xxxvi. cogges is best.

For the cogge whele maye nat be of so greate a
compasse as the other cogge wheles be. And in

Duraynge.

all these pykes, euery cogge kepeth hys owne ronge. And yf re put in any whele a cogge or two cogges mo or lasse, than as I haue sayd, shall euery cogge chaunge his ronge at all tymes, so that it be nat very truly pyked, it wyl nat go wel, and yf it for tune to bryake a cogge, as it is lyke to do, it wylt thā bryake many of the, except he thote downe hys draught gate thotely, and lyke wyse a wyndemylne. Howe be it a wyndemylne hath neuer vnder xliiij. cogges or liii. ii. But they must be so pyked, that euery cogge kepe hys owne ronge, and seuen ronges are nat profytable for they go latsely. Of horse mylnes I do nat speake of the makynge, for I haue nat experyence of them, as I haue of watermylnes.

¶ Also the Lordes and theyr tenauntes haue another maner of profyte by reason of these waters ouer and besyde the maner of mylnes or fylthynge, and that is by reason of the waterynge of theyr catell and bestes both wynter and sommer, and specially of the connyng waters, as ryuers, brookes, suches, and wellsprynges, for they done seldome frese or neuer, and they wyl be colde in sommer and warme in wynter, and yf a close want water it hath a great meane and is much y worse.

¶ Forthermore it is conuenient for a Durayour that whan he hath serueyd hys Lordes landes, and sene what profytes an approuementes maye ryse and be made wthin the same, that he shewe hys Lorde therof and aduise hym to do it, and to make the coste. For it is vndoubted, that a man can nat make to sure purchase of anye maner of lande, better tytell, nor lyghter cost, nor moze aduantage to hym selfe, than to improue, amende
and

and make better, hye owne olde inherytaunce. I
meane nat by the heyghtyng, reysyng, or encreas-
syng of the rentes of theyr tenauntes, but alone
lye in mendyng and makyng better his earable
landes, meadowes, leyse, ann pastures and in ma-
kyng of water mylnes, wyndmylnes, halse myl-
nes, fullyng mylnes, sythe mylnes, cutler mylnes
be it by water or draught of horses, smethye myl-
nes, or such other. And also of gettyng of al mas-
ner of pofytes, as well vnder the earth as aboue
(as befoze is remembred) in the sext chapter.

¶ And by the reason of these improuementes me-
semethe a man myght make sury towneshyp that
standeth in the playne champion countre and oc-
cupyd in tyllage halfe as good agayne in all ma-
ner of pofytes to the tenauntes as it was befoze
yf the lordes therof and theyr tenauntes can agre
of the costes that shuld be made therof. and neuer
a house nor cottage to be decayed nor lette downe
and to haue as muche lande in tyllage & plowynge
as there was befoze, & their cozne and grasse shuld
be better saued and kepte from destroyng.

¶ Howe to make a towneshyppe þ is worth. xx.
marke a yere worth. xx. li. a yere. Cap. xli.

It is vndouted that to every towneshyppe
that standeth in tyllage in the playne coun-
trie there earable landes to ploughe & sow
and leyse to tye or tedder theyr horses and
maren vpon, and comen pasture to kepe and
pasture theyr catell, beastes, and shepe vpon. And
also they haue meadowe grounde to get theyr hey
vpon. Than to lette it be knowen howe many a-
cres of earable lande every man hath in tyllage,
and of the same acres in euery felds to chaunge

Dureyinge.

wyth his neyghbours, and to leye them to gythen
and to make hym one seuerall close in euery felde
for his earable landes and hys leyse in euery felde
so ley them, together in one felde, and to make one
seuerall close for them all. And also another seue-
rall close for his pozepon for his commen pasture,
and also hys pozepon of his medowe in a seuerall
close by it selfe, and all kepte in seuerall bothe in
in wynter and somer, and euery cottage shal haue
his pozepon assigned hym accordinge to his rent,
and than shal nat the ryche man ouerpyesse the
pooze man wyth his cattell, and euery man maye
eate his owne close at his pleasure. And vndou-
ted, that hey and strowe that wyll fynde one beast
in the house, wyll fynde two beastes in the close,
and better they shal lyke. For those beastes in the
house haue thoste heare and thyne, and towarde
Marche they wyll pylle and be bare, And therfore
they may nat abyde in the felde before the herdmē
in wynter tyme for colde. And those þe ly in a close
vnder a hedge haue longe heare and thicke, and
they wyll neuer pylle nor be bare, and by this rea-
son the husband may kepe twyse so many cattel as
he did before.

This is the cause of this appromente. Nowe
euery husbanc hath fyve seuerall closes, wher-
of thre be for corne, the fourthe for hys leyse, the
fyfte for his commen pastures, and the syxte for
hys hare, & in wynter tyme there is but one occu-
pyed w corne, and than hath the husband other
fyue, to occupy tyll Lent do come, and than he has
the his falowe felde, hys ley felde, and his pasture
felde all sommer.

And whan he hath mowen hys medowe, than he
hath

hathe hys medowe grounde, so that and he haue any weyke catell, he maye put them in anye close he wyl, the whiche is a great aduauntage, and yf all shulde lye commen, than woulde the edysche of the cozne felde, and the after mathe of all the medowes be eaten in ten or twelue dayes. And the ryche men that hath muche catell, wolde haue the aduauntage, and the pooze man can haue no helpe, nor relese in wynter, whan he hathe moste nede. And yf an acre of lande be worthe syre pens or it be enclosed, it wyl be worthe eyght pens, whan it is enclose, by reason of the compostyng and dongyng of the catell. that shall go and lye vpon it bothe daye and nyghte. And yf any of his .3. closes that he hathe for his cozne be worne or wexe bare, than he maye breake and plow vp his close that he hadde for his leyse, or the close that he had for his commen pasture, or bothe, and sowe them with cozne, and lette the other lye for a tyme, and so shall he haue alwaye rest grounde the whiche wyl beare muche cozne wyth lptell dongne, and also he shall haue great profyte of the woode in the hedges whan is growen, and nat all onely these profytes and aduauntages befoze sayde, but he shall saue muche moze than all these, for by reason of these clothes, he shall saue meate, dyynke, and wages of a shephearde, the wages of the herdeman, and the wages of the swyneheard, the whiche maye fortune to be as charges able as all his holt rent, and also his cozne shall be better saued from eatyng or destroyng with cattell. For doubte ye nat, but herdemen wyth theyr cattell, shepheardes wyth theyr shepe, and tyenge of Horses and Mares, destroyeth mache

D, lit,

cozne

Barneyng.

some, the whiche the hedges wolde saue. ¶ A ra-
uenture some men wold say that this shulde be a-
gaynst the commen weale, bicause the shepherdes
herdemen, and swyne herdes, shuld than be put
out of wages. To that it may be answered thou-
gh the those occupacions be nat vsed there be as ma-
ny newe occupacions that were nat vsed before
As gettynge of quicke settes, dyehynge, hedgynge
and plaschynge the whiche the same men may vse
and occuppe. And it may fortune men wyl say, y
and all shuld be enclosed, that there would be ma-
ny soule lanes as there be in Essex, but for that
there may be a prouysion and that is thus, where
the Kinges hyghe way is. yf it be dye ground, sto-
ny ground, or sandy ground, in al such places may
belanes made of a couenient brede, for the Kinges
people to passe thozowe with al maner of cartage
And where it is softe ground lyenge leu ll, that
the waters may nat well passe by the dyche, at
euery hedge that goth ouer wharte the hye waye
there to make a gate, and stene it or grauel it in
that place. And than hath euery man the hole
close to ryde, fary, or go in, as they had before like
wyle as they do at the wynde gates a thys syde
Chorley in Lankashyre, and lykewyse bytwene
towne and town, and as to theyr owne dyffre la-
nes to theyr closes, let them make them for theyr
owne ease as they wyl hau: them. &c.

¶ The moste indifferenteste meane to make these
approuementes, as me semeth is this. All the loz-
des of one town, be there neuer so manye, shulde
be all of one assent, that theyr tenants shulde
exchaunge theyr landes one wyth another, and
the

the sayde exchange to stand and endure for euer
 for doubte them nat but they knowe it beste, and
 euery tenaunte for his owne aduantage wyl do
 it indifferently, and the curate of y^e same parische
 for his parte, and euery lordes bayly to be indiffe-
 rente, to se these closes lotted and assigned to es-
 uery mannes ease, so that euery man maye haue
 one lptell croft or close nexte to his owne house,
 yf it maye be, thowhe he haue no lande of hys
 owne. This done let euery lord by his coppe of
 court rolle or by indenture, to make a suffreyente
 lease to euery of thei^r tenauntes, to haue to hym
 and to his wife, and to hys chylden, so that it
 passe nat thre lyues than beyng a lyue and nas-
 med, y^e ldyng and payng to thei^r lordes and to
 thei^r heyr^s, the olde rentes and scrupces before
 due and accustomed, during those their lyues, vs-
 pon this condycion, That they shall do or cause
 to be done, duringe thei^r lyues, suffreyently to
 quychet, dyche, hedge, and plashe, whan nede
 is, all the sayde closes, and to kepe them duringe
 thei^r lyues, the whiche wyl be a great charge to
 the tenauntes. But yet me semeth they maye well
 do it, yf they entende to thys, and specially do
 remembre the profytes that may come to thei^m
 afterward. There is an olde sayinge. Quod les-
 us est labor cum lucro, that is to saye. That la-
 bour is lght where wyngynge foloweth, and
 much of thys labour may be done by hym selfe
 and his seruauntes, at a conuenient tyme, so that
 he lette nat hys husbandry. It is to much to be
 done in one yere two, or thre, but and they maye
 do it in fyre or nyne yeres, as the felds go aboute,
 they lye them well, for it is to costly for husban-
 des

Surueyinge.

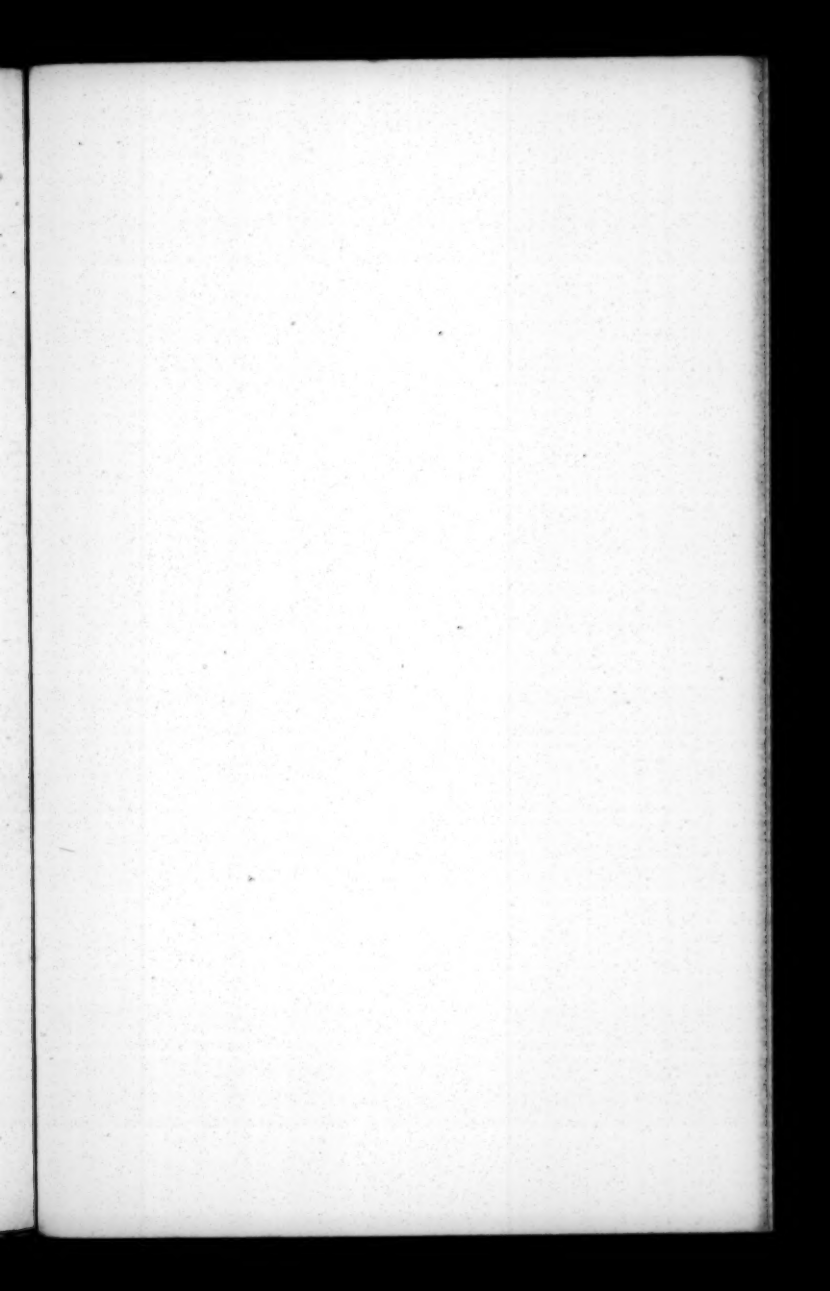
des to hye it to be done. And the lordes me ses
meth can do no lasse, than to graunte them these
thye lyues of the olde rente, remembrynge what
pjoynte they maye haue at the ende of theyr ters
mes, they knowe nat howe soone. For vndoubt
ed, one sette daye cometh at laste, and thoughe
the aduantage of the Lord come nat as
none, it wyl come at lengthe. And thers
fore sayth the Philasopher. Quod
differtur non aufertur, that
thyng that is differ
red is nat las

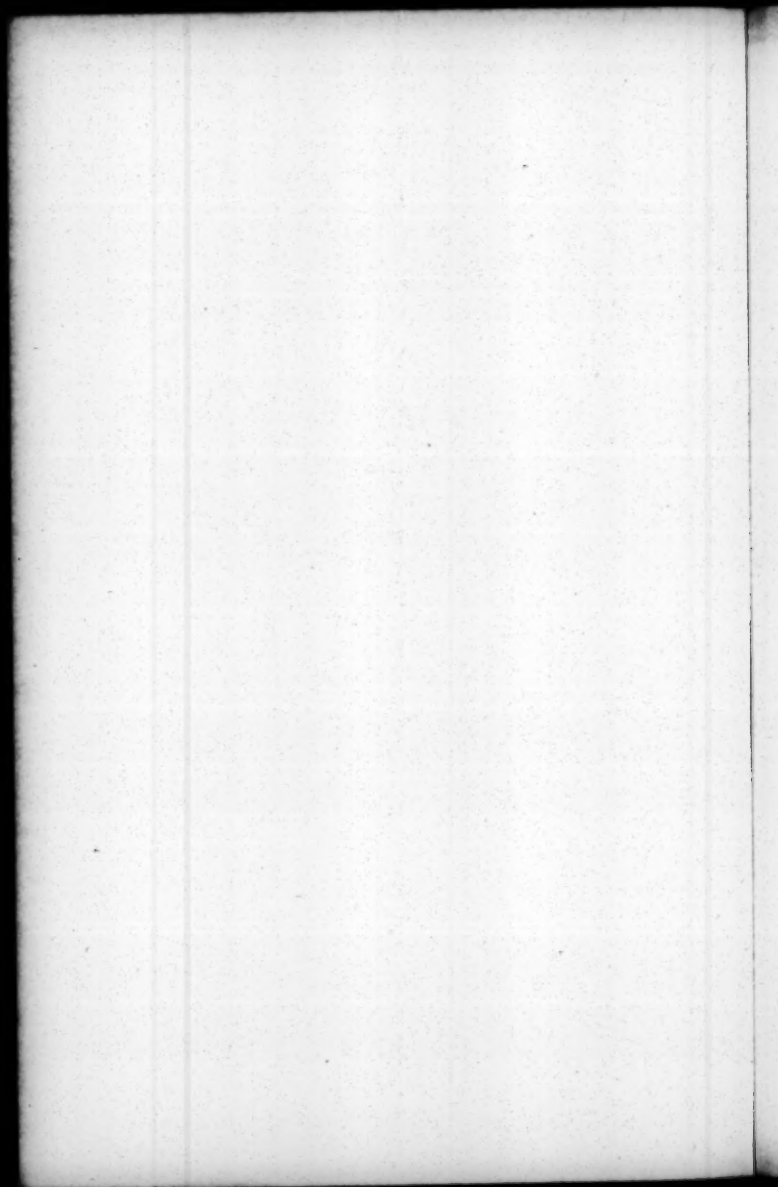
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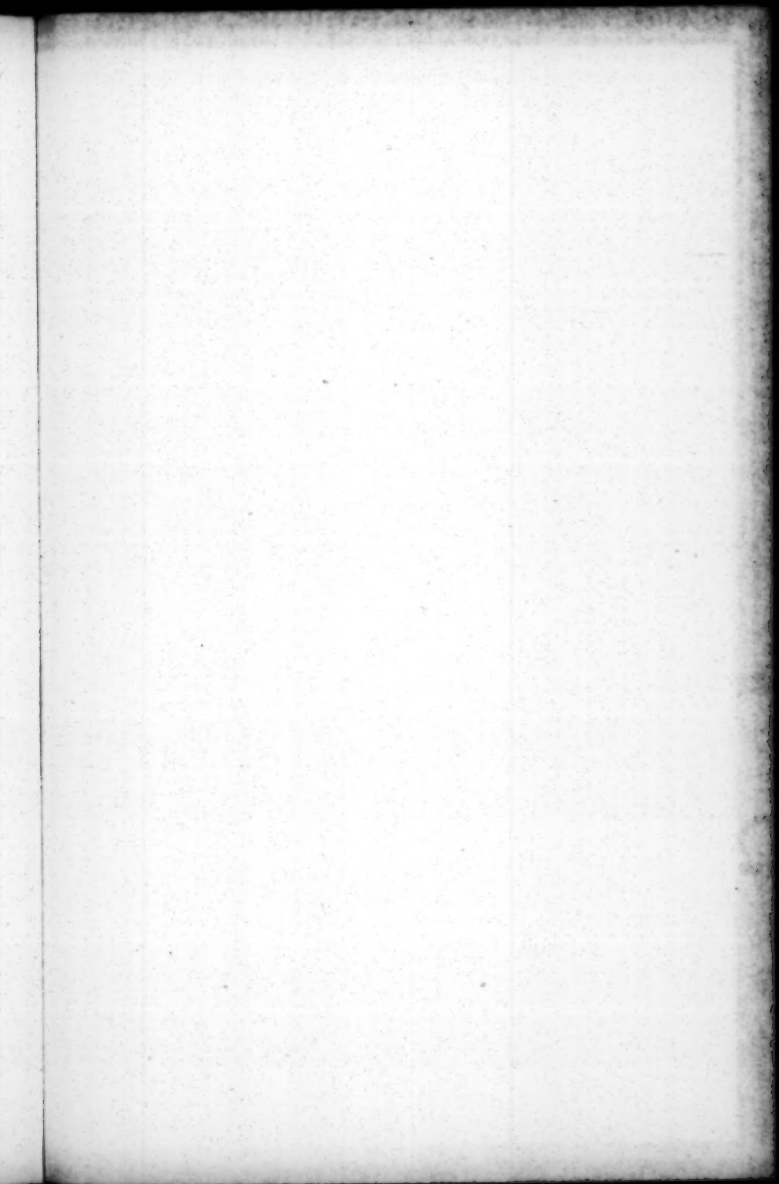
waye, and in the meane time the Lord
des haue no maner of losse, nor
yet make no costes,
but at theyr
pleasure.

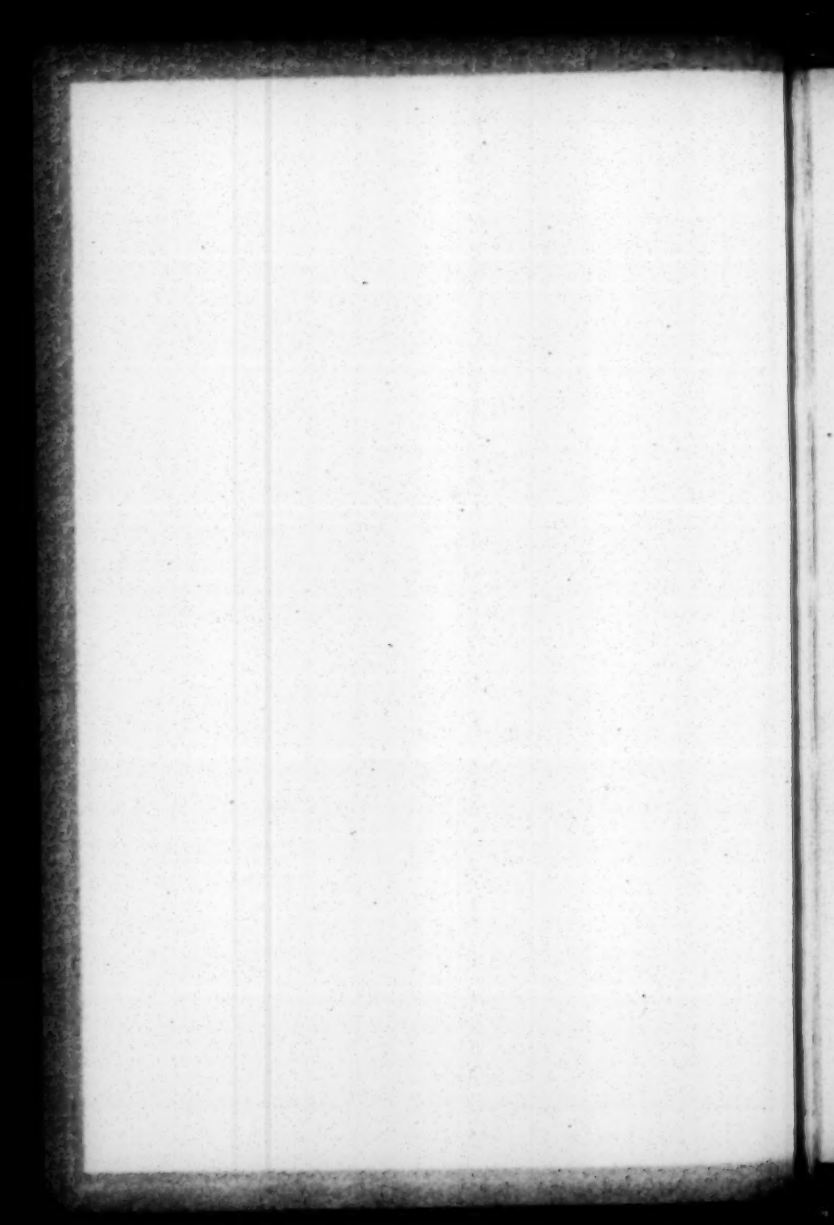
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